Of the Island of
BARBADOS

Made and Enacted since the Reduecement of the same, unto the Authority of the Common-wealth of ENGLAND.

I Ant Percival

Set forth the seventh day of September, *in the year of our Lord God*, 1652. *By the Honourable Governour of the said Island, the Worshipfull the Council, and Gentlemen of the Assembly.*

Together with the Charter of the said Island, or Articles made on the Surrender, and Rendition of the same.

Barbados, Laws, statutes, &c. Compilations

Published for the publick good.

Aug. *Sine Justitiâ Magna Regna nil aliud sunt quam Magna Latrocinia.*

The best Common-wealths, without the due current of Law and Justice, are no other than open Robberies.

London, *Printed by* Will. Bentley, *and are to be sould by him at the* India Bridge.



S.r John Percivale Baronet, of Burton
in the County of Cork in Ireland.

To the Honourable the Governour and his COUNCIL.

And

To the Worshipfull the SPEAKER, and the rest of the Gentlemen of the Assembly in

BARBADOS,

John Jennings *wisheth an Addition to your Grates here, and fruition of glorie hereafter.*

SIRS,



S you have made Laws to binde up your own Interest, and to regulate, and govern others; so 'tis not enough they be kept by your selves, but that you see they be observed by all: *Lex non solùm observanda, sed etiam conservanda.*

E0 2580

It had been a fair Progression to a well setled Government, had a way been long since opened to the people, for a more frequent converse with your Laws; (therefore hath the Press the eminency of the Pen) piety would have been better propagated, and humanity more commended, for, *bona leges non solùm vitia antiripant, sed etiam occasiones vitiorum:* wholesome Laws not onely prevent vice but takes off the occasion.

Some indeed there are, that being ambitious of perpetrating their own wicked inclinations, spurn at all order and good Government; and as one (being advised of the danger of a pit in the way) rudely returned, *oculos comprimo & omnia ubique plana sunt.* So some glorie in the life of their ignorance, that they may plead no transgression. *Noluerint intelligere ut bene agerent*, as the Psalmist speaks, they will not understand, fearing to be reduced from a sordid beastly life, they will not live, rather than live well.

The Carpenters rule learn's him to square forth a comely model, such is the vigour of good Laws to the framing of mens lives, and the best introduction is the divulgation of those Laws: *Linguam & manum lex humana nota ligat.*

It is therefore of some concernment as you are entrusted here, and to your good discharge before the great Tribunal hereafter, that you per-

form

form the diligence and care of men design'd, and called to propagate piety and advance publick good: not onely to enact well, but to be leading and good examples, as great lights to be the glorie of the lesser.

It was once the out-cry of an Heathen, *Publicorum cura minor*, the care of the publick is the least in any mans looks, and I could gladly wish every person of power could discharge himself according to that of *Jacob* to *Laban*, Gen. 30. 33. *Cras respondebit pro me Justia mea.*

To leave the people inexcusable, I have adventured on the Emission of this work, and to present the people a cheap penny worth of your own Labours for the publick good: I shall not say to the General, as once St. *Paul* spake, though he in a Divine sence, *metuo nè frustra laboraverim*, because *melius scio*, both your persons, and your parts are known to me, if not (*in toto*, *in parte*) enough to speak you *dignos præmio* meriting good reward.

As for the people, who look on the Law as too straight a curb to their lives, *dum vivunt moriuntur*, that's the heaviest dolour, they are even dead while they are living, & see not the way of their own good, *etenim lex liberos facit*, the Law gives us prerogative priviledges. If the Press render me culpable, my haste may plead for your

pardon, too eager fervency of zeal may make Blockish a good Devotion: good actions have but ill effects when Precipitant: too hasty desire of good often hazards greater goods. Your pardon herein, and acceptance hereof shall Oblige him to more eminent services, who, as your servant and wel-wisher to the prosperity of the Island, subscribes himself as he is

BARBADOS. John Jennings, *Clark of the assembly.*

From my Office at *Indian Bridge*, July 9. 1654.

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BAR-

BARBADOS,
1651.

The Charter of BARBADOS.
OR
Articles of Agreement, had, made, and concluded the [illegible] *day of* January 1651. *By and between the Commissioners of the Right Honorable the Lord Willoughby of Parham of the one part, and the Commissioners in the behalf of the Commonwealth of England of the other part, in order to the Reduction of the Island of* Barbados; *and are as followeth.*



I. THat a Liberty of Conscience in matters of Religion be allowed to all, excepting such Tenents as are Inconsistent to a Civil Government, and that Laws be put in execution against Blasphemie, Atheisme and open scandalous living: and that no Minister be deprived except upon Scandalous living, Seditious preaching, or unsound Doctrine sufficiently proved against him.

2. That the Courts of Justice shall still continue, and all Judgements & Orders therein be valid, until they be reversed by due form of Law.

3. That no Taxes, Customs, Impost, Loans, or Excise shall be laid, nor Levy made on any the Inhabitants of this Island without their consent in a general Assembly.

4. That no man shal be imprisoned, or put out of his Possession of Lands & Tenements, which he hath by any former Warrant, or Title derived from it, or other Goods, or Chattels whatsoever, without due proceedings according to the known Laws of *England*, and Statutes and Customes of this Island in the Courts of Justice here first had, and Judgement for the same obtained, and Execution from thence awarded.

5. That all suits between party and party, and Criminal and Common-Pleas be determined here, and none be compelled to go into *England* to assert, or defend their titles to any Estate which they have here, without the consent of the general Assembly.

6. That an Act of Indemnity be with all convenient speed pass'd in the Parliament of *England*, to save, keep harmless and unquestionable all, and every the Inhabitants of this Island that are comprized in these Articles,

for

for & concerning any Act, or thing whatsoever done by them, or any of them at any time, or in any place, or words spoken by them, or any of them before the date of these Articles, and that they be cleared, acquitted, & discharged thereof for ever, in respect of the publick power, as of any particular person concerning damage, or loss, which they have received by reason of the present differences: and untill the said Act come hither, an Instrument of Indemnity to all such comprized in these Articles to the purpose aforesaid, be assigned by Sr. *George Ayscue* and the other Commissioners, and the said Act together with the said Instrument of Indemnity may be received into the Assembly here, and filed among the Records, and that it be represented by Sr. *George Ayscue*, and the Commissioners to the Parliament of *England*, or the Council of State established by the Authority of the Parliament: that an Act made the third day of *October*, whereby the Inhabitants have been declared Traitors, may upon this accord be taken off the File from among the Records.

7. That all and every the Inhabitants of this Island comprized in these Articles, be restored to all their Lands & Possessions, Goods and Moneys, which they have in *England*, *Scotland*, or *Ireland*.

8. That no Oaths, Covenants, or Engagements whatsoever be imposed upon the Inhabitants of this Island, who receive the benefit of these Articles, against their consciences.

9. That all Port-Towns and Cities under the Parliaments power, shall be open unto the Inhabitants of this Island in as great a freedom of Trade as ever, and that no Companies be placed over them, nor the Commodities of this Island be ingrossed into private mens hands; and that all Trade be free with all Nations that do Trade, and are in Amity with *England*.

10. That whereas the Excise upon strong liquor was laid for the payment of publick debts, and other publick uses; It is therefore agreed, that the Lord *Willoughby* of *Parham* and all employed by him, and all other persons whatsoever, shall be acquitted and discharged from the payment of any publick debts, and that the same be discharged by the said Excise and such other wayes, as the general Assembly shall think fit; provided that care and respect be therein had to such as have eminently suffered in their Estates.

11. That all persons be free at any time to transport themselves and Estates when they think fit, first setting up their names according to the Custom of this Island. 12. That

12. That all persons on both sides be discharged and set free with the full benefit of enjoying these Articles, and that all Horses, Cattle, Servants, Negro's, and other Goods whatsoever, be returned to their right Owners; except such servants as had freedom given them, and came aboard before Saturday the third of *January*.

13. That such particular persons, as are in this Island, together with Sr. *Sidenham Poine*, who have Estates on *Antegoa*, may peaceably return thither, and there enjoy the benefit of these Articles.

14. That for a certain time all Executions be stopped, sufficient caution being given, that at the expiration of it payment be made, and that the Commissioners, together with the general Assembly, be Judges of the time and caution.

15. That the three small Vessels, or Barks now on ground before the bridge Town, do remain to their owners, and have liberty to go to any Port *London*.

16. That the Lord *Willoughby* of *Parham* have all his Lands, Rents, or Estate whatsoever, Real and Personal in *England* (without any Fine, or Composition paid) restored to him, or his Assigns, free from all incumbrances

brances laid on the same by the Parliament of *England*, or any by them Authorized since the time of his first seizure, or sequestration, and that what settlement the said Lord *Willoughby* of *Parham* hath made at *Surranam*, and any other he shall make on any part of the main of *Guiana*, shall be by him enjoyed and kept without any disturbance, either of himself or those that shall accompany him thither, and that he hath free Liberty to bring Servants from any Port in *England*, or *Ireland*, and that his Plantation in *Antegoa*, according to the Bounds already laid out, be reserved to him, and that what state soever of Right doth belong unto the said Lord *Willoughby* of *Parham* in this Island of *Barbados*, be to him entirely preserved.

17. That all such Persons of this Island, or elsewhere, whose Estates have been sequestred, or detained from them upon the publick difference, be forthwith restored to their Plantations, Goods, or Estates in the Island.

18. That the Island of *Barbados*, with all the Forts, Sconces, and Fortifications thereof, and all the Artillery, all publick Arms and Ammunitions be delivered up into the hands of Sr. *George Ayscue* for the use of the States of *England*, before Munday twelve of the clock

at

at noon, being the twelfth of this instant *January*, and that no Garrison be kept here: But that all Forces shall be disbanded within 24 hours after the sealing of these Articles, and that for the safety of the Island, the Milina shall be disposed of, as to the Parliament-Commissioners, and Future Governour shall seem fit, this Article not to be construed to take away the private Arms of any particular person within this Island.

19. That the Government of this Island be by a Governour, Council and Assembly, according to the ancient and usual custom here: that the Governour be appointed by the State of *England*, and from time to time received and obeyed here, the Council to be by him chosen, and an Assembly by a free and voluntary Election of the free-holders of the Island in the several Parishes, and the usual custom of the choice of the Council be represented by the Commissioners to the Parliament of *England*, or to the Council of State established by Authority of Parliament, with the desires of the Inhabitants for the confirmation thereof for the future.

20. And whereas it hath been taken into serious consideration, that the main and chief cause of our late troubles and miseries hath

grown

grown by looſe, baſe, and uncivil language, tending to ſedition and diviſion, too commonly uſed among many people here: It is therefore further agreed, that at the next general Aſſembly a ſtrict Law be made againſt all ſuch perſons, with an heavy penalty to be inflicted upon them that ſhall be guilty of any reviling ſpeeches of what nature ſoever, by remembring, or raveling into former differences, and reproching any man with the cauſe he hath formerly defended.

21. It is agreed, that the Articles may with all convenient ſpeed be preſented to the Parliament of *England*, to be by them ratified and confirmed to all intents, conſtitutions and purpoſes.

22. It is further agreed, that all Laws made heretofore by general Aſſemblies, that are not repugnant to the Law of *England*, ſhall be good; except ſuch as concern the preſent difference.

23. That the right Honorable the Lord *Willoughby*, have free liberty to go into *England*, and there to ſtay or depart at his pleaſure without having any Oath, or engagement put upon him, he acting, or attempting nothing prejudicial to the State, or Common-wealth of *England*. In witneſs whereof we the Com-

miſ-

missioners appointed by the Lord *Willoughby* of *Parham* have hereunto set our Hands and Seals, this 11 day of, *January* 1651.

Thomas Muddiford.
John Colleton.
Daniel Searle.
Mich. Pack.
Richard Pearse.
Charles Pym.
Thomas Ellis.
William Byam.

Commissioners appointed by the Authority of the Common-wealth of *England.*

Commissioners appointed for the Lord *Willoughby*, and Island of *Barbados.*

By the Governour.

IT is my pleasure that the above written Articles be published by the several Ministers within this Island. Given under my hand this 17 of *January*, 1651.

George Ayscue.

This is a true Copy with the Original, attested by me Jo. Jennings, *Clerk of the Assembly.*

FINIS.



BARBADOS.

Acts and Statutes Of the Iſland of BARBADOS

Laws, Statutes, and Ordinances publiſhed, declared, and ſet forth the ſeventh day of September, *in the year of our Lord* 1652. *By the Honourable Colonel* Daniel Searle *Eſq; and Governour of this Iſland of* Barbados, *and the Worſhipfull the Council, with the conſent of the Gentlemen of the Aſſembly, in manner and form following.*



Hereas it hath been adjudged very neceſſary, that the Inhabitants of this Iſland ſhould have the true knowledge of the Laws by which they are governed, that they may not plead ignorance of them: And for that purpoſe having

ing

ing caused diligent search to be made into them, and finding many things needless to be expressed, and some other contrary to the established Laws now settled in the Common-wealth of *England*; since the abolition of Kingship and change of Government there to be repealed And well weighing how needfull it is, that we being of one Nation, should be governed by the same Law, which our brethren in *England* are, have therefore caused these ensuing Acts to be published, in which is contained the true substance of all the Laws made in this Island since the first settling of it, omitting onely such matters as are, or seem to be repugnant to the rules of the Supream Authority of our Nation, and leaving out such matters as are needless, and instead thereof placing necessary additions as have seemed to us for the good and welfare of this people.

1. IMprimis, It is enacted, ordained, and declared by the authority and consent aforesaid, that all the Acts which are now of force within the Common-Wealth of *England*, concerning free enjoyment of Religion, be published within this Island; And that the same be duely observed by all the Inhabitants of the same, in such manner and under such penal-

penalties as in, and by the said Statutes of the Parliament of *England* are ordained and appointed. Given under my hand this 17 of *October*, 1652.

Signed, Daniel Searle.

2. ITem, that the Minister of every Parish, shall well, truly, and plainly record and set down all Marriages, Deaths, and Births that shall happen within the Precincts of his Parish; And that he take for the same one pound of Sugar for the entry thereof, and no more: And in the month of *March* in every year, shall make true Certificates upon each of his Entries into the Secretaries Office, to the Intent the same may there remain on Record for ever: And if any Master of a Family, or other, whose Duty it is to make the Entries and Information to the said Parson as aforesaid, shall fail to do the same within one week after such Marriage, Death or Birth, shall for every such Default, forfeit one hundred pounds of Sugar; And such Ministers as shall fail to make such returns to the Secretaries Office in the said month of *March*, as aforesaid, shall forfeit a thousand pounds of Sugar for every Default; the one Moiety of the said forfeitures to be paid unto the Treasurer for the

time being for the publick use of this Island; and the other moiety to such Person or persons as shall discover the same, and make proof thereof in any Court of Record within this Island; to be recovered by the usual action of debts in any of the said Courts: Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

3. *Item*, that no person within this Island presume to send in writing, or by message by word of mouth, any challenge to another to fight with him, upon pain of being Imprisoned during six months without bail or mainprize, and forfeit five thousand pounds of Sugar. And whosoever shall accept of such a challenge and not discover the same to the Governour, or some other publick Officer of Peace, shall in like manner be Imprisoned, and forfeit the sum of Sugar as aforesaid, the same to be recovered and disposed of as the forfeiture in the Act for Return of all Marriages, of Deaths and Births by the several Ministers. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

4. *Item*,

4. *Item*, that no Person after Publication hereof, shall presume privately to wear any pocket Pistol, Skeyne, Stilletoes or Daggers, or other unusual or unlawfull weapons, upon penalty for the first offence to be committed by any Justice of Peace his warrant before whom proof thereof shall be made, (who is hereby authorized to enquire of, and proceed on the same) and to remain in Custody untill he have paid five hundred pounds of Sugar, the one half to the publick Treasurer for the use of this Island, the other to the Informer: And if such person shall again offend against this Law, he shall be in the like manner, upon proof thereof before any Justice of Peace, committed to the Common Goal, there to remain untill the next Sessions, and upon Conviction thereof by the verdict of twelve men, shall receive Judgement to be banished this Island for ever. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

5. *Item*, that all servants under the age of eighteen years, which are hereafter brought to be assigned over, or disposed of as servants in this Island, having made no contract in *England*, shall serve for the space of seven

ven years and no longer: and such as are above eighteen years, shall serve during the space of five years and no longer, and at the end of their time shall receive four hundred pounds of Sugar. Given under my hand the 7 of *October*, 1652. *Signed, Daniel Searle.*

6. *Item*, no person whatsoever shall presume to bring any children to be sold as servants of the *English* Nation to this Island under the age of fourteen years, unless they can bring a Certificate from the Principal persons of the Parish where the said childe last lived, that it is done with their consents: (the age of such child or servant to be adjudged by Inspection.) And whosoever shall do otherwise, shall upon conviction be Imprisoned by the Governors warrant until he hath given in security by recognizance, with two good sureties that are free-holders in this Island, of a hundred pounds sterling to the Secretary for the time being, that he will return such child or children unto their Parents or Guardians, or such as have or should have custody of them: and of his performance thereof, bring or send a Certificate within one year next ensuing. Given under my hand the 7 of *October*, 1652. *Signed, Daniel Searle.*

7. *Item*,

Item, no Freeman, or Trader whatsoever, presume to buy and sell any Commodities whatsoever to, or with any Servant, or Slave within this Island, without the consent of the Master, or Owner of such Servant, or Slave, upon pain of forfeiting treble the value of the Commodities they Trade for, to the Master, or Owner of such Servants.

And all Contracts, Agreements, and Engagements whatsoever made by such Servant, or Slave, to be void, and of none effect. And the said Trader, or Freeman, shall for every such offence, further forfeit five hundred pounds of Sugar, the one half to the Informer, and the other half to the Treasurer for the publick use, the same to be recovered by action in any Court of record within this Island. Given under my hand the 7 of *October*, 1652.

Signed, Daniel Searle.

8. *Item*, that servant that shall lay violent hands on his, or her Master, or Mistress, or Overseer, and be convicted thereof before any Justice of Peace of this Island, the said Justice is hereby required and Authorized to order such servants to serve his said Master, or Mistress two years after his time by Indenture,

or Custom is expired. Given under my hand the 7 of *October*, 1652.

Signed, Daniel Searle.

9 *Item*, whatsoever servant or hired men, as Overseers, Fallers Affenego-men, or others whatsoever, shall imbezil, purloin, steal, wilfully waste, or make away any of his masters or Mistresses Fowls, Hogs, Sheep, Cattel, Cotton, Tobacco, Sugar, Indico, Ginger, Money, Cloaths, or any other goods, provisions or Commodities whatsoever, or that shall steal or purloin the goods of the Guests, or his fellow-servants in his Masters house, shall upon conviction of every such offence before any Justice of the Peace of this Island, be adjudged to serve his said Master, or Mistress three years after his first time is expired, the said servant or hired man to receive no sallary for the time so hereby appointed. The same Laws and punishment for such Overseers as shall lend their Mr. or Mrs. servants, Slaves, Horses, or Cattle without the privity of their said Mr. or Mrs. Given under my hand the 7 of *October*, 1652.

Signed, Daniel Searle.

10 *Item*, that in regard that the Wealth of the Inhabitants of this Island

Island, consisteth chiefly in the labour of their servants. It is further established that whosoever shall beget a woman servant with child, shall for such his offence personally serve the owner of such servant three years, or put one in his place for the said time, to recompence his loss and charge in bringing up the bastard Childe; but if the said Childe be brought up by the Parish, then the reputed Father to serve the said Parish three years, or put one in his place for the said time. And the said Woman servant so offending, shall serve her said M^r. or M^rs. three years after her time by Indenture, or otherwise, as aforesaid; the same to be ordered by any Justice of Peace, before whom proof thereof shall at any time be made. And the said man and woman, for their unlawfull copulation, are to suffer such further punishment, as by the Laws of the Common-wealth of *England* is provided. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

11 *Item*, in regard many M^rs. and Overseers, when their servants grow sick and unable to perform their labours, will give them their time, or turn them off, to the intent they may not be at the charge of recovering

them, whereby the said servants do most miserably perish, or become a charge to the Parish where they first happen to be laid up; for prevention whereof, it is ordained that what Master, or Overseer shall offend herein, or shall not use all reasonable means for the recovery of their diseased Servants, shall forfeit two thousand pounds of Sugar, to be levied by Warrant of the Justice of Peace before whom it shall be proved, and paid into the publick Treasury, to be disposed of towards the maintenance of such servant, and for the recovery of his strength; And the said servant so neglected by his Master, to be free from him. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

12 ITem, whosoever, either Master of Family, or Captain, or Master of a Ship, or other that shall entertain any man, or woman, White or Black, above one night, if he doth not know him to be a Free-man, shall for every night after the first, forfeit one hundred pounds of Sugar, and if he know him to be a servant, or slave to another man, and do notwithstanding wilfully entertain him, he shall forfeit five hundred pounds of Sugar for every night

night, the one half of the said forfeitures to be to the Master, or Owner of the said servant, or slave, and the other to the publick use; the same to be recovered in any Court of Record within this Island: And if any suspected person come within any Plantation at unseasonable hours, or otherwise, it shall be Lawfull for the Master, his Overseer, or servants to apprehend such person, and keep him in custody untill he may be brought to the next Constable: And if any servant shall entertain, or hide any servant, or slave belonging to another Plantation, such servant upon conviction before a Justice of Peace, shall for every such offence serve the Master, or Owner of the servant so entertained by him, one whole year after his time with his own Master is expired. Given under my hand the 7 of *October*, 1652.

Signed, Daniel Searle.

13 ITem, no Marchant, or Commander of any ship, shall presume to land any goods, or Trade with any man on this Island, before he hath been with the Governour, and put in security in a thousand pounds sterling, not to transport any person of this Island, without a ticket under the Governours hand first obtained for his so doing: As also, that he shall not depart

this Island with his said ship, without a ticket from the Governour for the same, under the penalty of being committed untill he have paid five thousand pounds of Sugar unto the Treasurer for the time being, for the publick use of the Island. Given under my hand this 7 of *October*, 1652.

Signed, *Daniel Searle*.

14 *Item*, to prevent intelligence that may be given to the prejudice of the Island; no person may presume to go aboard any ship before the Master have been with the Governour, unless such as shall be thereunto Authorized by the Governour and Council. And whosoever shall offend herein, and thereof be convicted before the Governour, or any one of the Council, shall be committed, untill he have paid five hundred pounds of Sugar to the Treasurer for the time being, for the publick use of the Island. Given under my hand the 7 of *October*, 1652.

Signed, *Daniel Searle*.

15 *Item*, no person shall have a Ticket from the Governour to go of the Island, unless his name have been set up in the Secretaries Office 21 dayes, and that in the time

time no man hath underwritten him; or unless he shall give in such good security as the Secretary shall like of (and no just exception being taken against the same by the parties concerned therein, they having notice thereof by the Secretarie before he allow of the same) for the payment of all such sum or sums of goods or money, &c. as his underwriter, or underwriters shall recover against him, or his Attourney. All which underwriters shall put down the place of their abode, and the reason of their underwriting, otherwise the same to be insufficient to bar the parties going off of his Ticket. And if any man shall without cause underwrite another, whereby the party going off is damnified, the said underwriter shall be subject in any action upon the case to render the party grieved treble the damages which he can prove he hath sustained, and forfeit two thousand pounds of Sugar to the use of the Countrey, for such his malicious and wrongfull dealings. Given under my hand the 7 of *October*, 1652.

Signed, Daniel Searle.

16 ITem, if any Alien, shall in his Vessel carry off any Inhabitants of this Iland without the Governours Ticket, the next

ſhip of that Nation that can be ſeized, ſhall make ſatisfaction for the forfeiture of the bond ſo by his Countrey-man broken. And if any *Engliſh* man ſhall do the like, his bond ſhall be aſſigned over by Letters of Attourney to be recovered againſt him in *England*, or elſewhere for the ſatisfaction of ſuch perſons as ſhall be thereby prejudiced, and alſo for their high contempt againſt the Authority of this place. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

17 *Item*, no perſon ſhall preſume to keep any common Store-houſe to receive the Countreys goods; and to give out receipts for the ſame, before he have given ten thouſand pounds of Sugar ſecurity to the Secretaries for the time being; that he will make honeſt and true delivery and payment of ſuch goods as he hath given his receipt for, under penalty of ſix moneths impriſonment, and longer, untill he have paid twenty thouſand pounds of Sugar to the Treaſurer for the publick uſe of the Iſland; And whereas diverſe Store-houſe keepers have fraudulently given out undue receipts to perſons that have brought them no goods, with an intent to have

thoſe

those receipts sued against them, whereby the inhabitants that have truely paid in their goods may be defranded of their just rights; It is therefore further ordered and enacted, that if any Store-house-keeper shall be convicted of such an offence by the Oath of two credible witnesses before the Judge of the Court, in whose Precincts he dwelleth, he shall have then judgement by the said Judge passed on him to make double satisfaction to the party thereby injured, and to stand in the Pillory two hours, lose both his ears, and be imprisoned untill the said party hereby defrauded, be paid what by this Act is adjudged unto him. Given under my hand the 7 of *October*, 1652.

Signed, Daniel Searle.

18 *Item*, no common Store-house-keepers shall receive, or pay out any ill conditioned, or unmarchantable goods, upon pain of making the same good to such person, or persons, who may be thereby prejudiced. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

19 *Item*, for the holding of the General Sessions, and Goal delivery; It is ordered, that the Governours Warrant shall issue

sue fourteen dayes before the first day of the Sessions to be holden; Directed to some other Justice of the Peace in every Parish; requiring him to warn and return ten sufficient able Freeholders for the service of the Common-wealth at the said Sessions. And if the said persons, or any of them, so warned, shall fail to appear, or appearing, shall depart without leave of the Court, shall for such his offence be fined five hundred pounds of Sugar to the use of the Countrey. Given under my hand the 7 of *October*, 1652.

Signed, Daniel Searle.

20 ITem, all Justices of the Peace, all Coroners, Surveyors of High-wayes, Constables, and other Officers, shall make return into the Secretaries Office of all Recognizances Enquests, Examinations, Testimonies, and other evidences, which have been taken before them, six dayes before the first day of the Sessions: and whosoever shall fail therein, shall be fined three hundred pounds of Sugar to the use of the Countrey: And all witnesses are likewise under the same penalty required to make their appearance within the time aforesaid, to the Clerk of the Peace.

Given

Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

21 ITem, whosoever shall make a fraudulent, or deceitfull Sale, or Engagement of any Servants, Cattel, Negroes, or any other stock, or Commodities, or any Plantation, or Plantations whatsoever, with an intent to deceive his Creditors, or any Purchaser, shall pay double the value of the thing so sold to the party grieved, and suffer six moneths imprisonment without Bail, and stand in the Pillory two hours with his ears nailed thereunto, with a paper in his hat, signifying the cause of his punishment. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

22 ITem, the leaving of a Warrant, or Summons at any mans house, or place of usual aboad, three dayes before the setting of the Court, from whence the Process issued, is hereby adjudged a sufficient, or lawfull warning, or Summons. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

23 *Item*,

23 *Item*, it shall be lawfull for such Mar-
shall as shall attache goods up in the
Countrey, to compel the Debtors, Negroes, or
Cattle to bring down the same to the Sea-side.
But if the Debtor have none, then the said
Marshall is to hire Carriage (in case the Deb-
tors will not.) And is hereby authorized to at-
tache so much over and above the sum men-
tioned in his execution, as will satisfie for the
said carriage. Given under my hand this 7 of
October 1652.

Signed, Daniel Searle.

24 *Item*, whosoever shall be convicted
by the Oath of two witnesses before
the Judge of the Court of that Precincts, that
he hath carried away, or made off any Cattle,
stock, or goods whatsoever, after the same
hath been duely and legally attached; where-
by the Creditor is disappointed of his pay-
ment, for such an offence he shall be by the said
Judge immediately committed to prison dure-
ing fourteen dayes: And if before the four-
teenth day he have not made satisfaction to
his Creditor; he shall be put in the Pillory
and lose both his ears; and his Estate remain
liable to a new execution for the first Debt
with such further reasonable damages as the
said

ſaid Judge ſhall in conſcience award. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

25 *Item*, if the Clerk of the Peace ſhall neglect to enter any Fines aſſeſſed by the Court, or any forfeited Recognizances fairly in book, or neglect to cauſe a true Extract thereof to be remitted to the Treaſurer, for the time being, within twenty dayes after every Seſſions; he ſhall forfeit for ſuch his neglect double the value of the ſaid Fine, or Fines, or Recognizances ſo omitted; and be diſabled for ever after any more to execute that Office. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

26 *Item*, what perſon ſoever ſhall buy Corn, Peaſe, or any other Grain, to make profit thereof by ſelling the ſame, or carry any off the Iſland, unleſs Corn be ſould at twelve pounds of Tobacco per Buſhel, and Peaſe at twenty pounds, ſhall be (upon conviction thereof before any of the Juſtices of Peace) adjudged to pay an hundred pound of Sugar for every Buſhel ſo bought, or tranſ-

ported:

ported: the one half to the publick use, and the other to the Informer; to be levied by a Warrant from the said Justice, before whom the same is, or shall be proved. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

27 *Item*, it shall be lawfull for any Inhabitant of this Island to kill, or cause to be killed any Hog, or Hogs that shall come into his provision, ground, or Canes, Cotten, Ginger, or Tobacco; and them so killed to weigh and appraise, and dispose of the same as he pleaseth: And if he knoweth the Owner of them, then he is to pay him what they shall be appraised, deducting the damage that the said Hog, or Hogs have done; For which purpose four sufficient Free-holders in every Parish shall be yearly, by the Justices of the said Parish, in the moneth of March, sworn to make true and conscionable appraisement betwixt party and party, and the judgement of any two of them shall be sufficient: But if the Owner be not known, then he shall nail up the marked ears of the said Hogs fourteen dayes in a publick place, that the said Owner may be found out, but if such damage shall be done by Horses, or Cattle, Assenegoes, Goats, or Sheep,

in

in such case the party damnified may impound the same according to the Law of *England* untill Replevin be made: And the party damnified may likewise desire the said Appraisers, so to be appointed as aforesaid, or any two of them, to view and adjudge the damage, and set it under their hands; which shall be sufficient evidence to the Jury, which shall be impannelled for the trial of the Action: In which the said parties damnified is to be allowed two pounds of Sugar per day, for every head during the time he lawfully keeps the same. Given under my hand this 7 of *October*, 1652.

Signed, *Daniel Searle.*

28 *Item*, to prevent further differences, no person, upon pretence that he wants of his proportion, shall presume to encroach within his Neighbours Line, but keep within his own Bounds; And whosoever shall encroach upon his Neighbour, or cut down any Marked Trees, or other within his Neighbours Line, shall forfeit for every Tree so cut down one hundred pounds of Sugar, the same to be recovered by the party injured in any Court of Record within this Island. Given under my hand this 7 of *October*, 1652.

Signed, *Daniel Searle.*

29 *Item*,

29 Item, that for the better administration of Justice, this Island be divided into five Precincts, (viz.) (1) *Christ* Church and *Philips*. (2) John *Georges* and *Michaels*. (3) *James*. (4) *Peters* & *Lucies*. (5) *Andrews*. In each is, and shall be appointed on Judge and three Assistance, one of which at least is to be a Justice of the Peace. These have full power to hear, and to determine all common Pleas according to the Laws of *England*; and to grant Process for impannelling of Juries for that purpose, the Judge and the eldest Assistants may severally sign Process for appearance, but the Judge onely shall sign Executions. And if the Court upon any question be divided in opinion, the Judge shall have the casting voice. The said Judges are likewise hereby required, and ordered to set at the most convenient time once in every fortnight, between the first of *March* and the last of *August*, and once in five weeks, between the first of *September* to the last of *February*: And that the said respective Judges have within their Precincts power to swear Appraisers. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle

Item

30 ITem, in regard the whole substance of this Island consists in the labour of the servants: It is hereby ordained, that if any man-servant shall marry without his Mr. or Mrs. consent during the time of his Apprentisship, he shall serve his Mr. or Mrs. four years after the time of his said Apprentisship is out; and if any Free-man shall marrie the Maid, or Woman-servant of any person within this Island, he shall forthwith pay unto the Mr. or owner of the said servant double the value of the said Maid, or Woman. But if he be a servant, then after his time is expired, he shall serve the Owner of the said Maid, or Woman, double the time she hath to serve. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

31 ITem, that no Treasurer, or Marshall, either the Provost-Marshall, or particular Marshall of any Court be admitted, or held capable to execute the Office of Treasurer, or Marshall within this Island, without having first put in security (such as against which no exception can be taken) into the Secretaries for the time being, for his honest and just demeanor in executing the said Of-

fice. Given under my hand this 7 of *Octob.* 1652.

Signed, Daniel Searle.

32 *Item*, no Clerk shall be admitted, or held capable to Act, or write in any of the Courts within this Island, untill he have taken an Oath before the Judge of the Court for his true and honest dealing, and upright demeanor therein: And likewise give security to the said Judge (such as is without exception) to satisfie any party that shall be injured by his dishonest behaviour (if any be) such damages as he shall thereby suffer. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

33 *Item*, the Governour and Council shall every year, in the moneth of *June*, set a rate upon wine and strong drinks, at what rate they shall pass at in Taverns and drinking houses, from *March* then next ensuing for one year; and whosoever shall sell contrary to those rates, shall forfeit for every such offence a thousand pounds of Sugar, the one half to the publick use of this Island, and the other to the Informer, to be recovered in any Court of Record

cord within this Iſland. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

34 ITem, the Secretary, nor any of his Clerks ſhall ſign any Ticket for any perſon to go off this Iſland, unleſs he brings a Certificate, or Teſtimonial under the hand of the Captain, or Superior Officer under whom he is liſted, and of one of the Juſtices of the Peace, in the Pariſh where he liveth, that he is ſo named, and that he is the ſame perſon that is generally known by that name; And if the ſaid Secretary, or his Clerk ſhall grant a Ticket to ſuch perſons before ſuch Teſtimonial preſented and filed, the ſaid Secretary, or his Clerk which offend herein ſhall be liable to ſatisfie all the Debts, which ſuch perſon that goeth off by ſuch Ticket, ſhall owe to any perſon within this Iſland. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

35 ITem, all the Free-holders of every Pariſh ſhall repair to their ſeveral Pariſhes, every year on the Munday after the *Lady* day, and there by their free votes chuſe ſixteen perſons to be the Truſtees of their Pa-

riſh, for the year enſuing, who ſhall have powe
to ſet rates for their Pariſh-charges: whic
rates, after they have been three Sundayes pu
bliſhed in the Church, and no exception take
to it, ſhall be ſigned and confirmed by the Go
vernour and Council, and attachments gran
ed under the Governours hand for the raiſi
the ſame: But if exception be taken to th
ſame, the party grieved, ſhall be heard by th
Governour and Council, and the ſame dete
mined before the ſaid rate ſhall be confirme
as aforeſaid. Given under my hand this 7 o
October, 1652.

Signed, Daniel Searle.

36 ITem, no Iudges, or Iurors within th
ſeveral Courts of this Iſland, are to a
low Attorneys for the time to come, mo
power than is mentioned in their Letters o
Attorney made unto them: Nor any Execu
tor, or Adminiſtrator henceforth ſhall hav
power to ſell the Land of any perſon deceaſe
unleſs it be for the payment of his real Debt
and that there is not perſonal Eſtate enoug
within this Iſland to ſatisfie the ſame: An
therefore for the encouragement of Trade, a
Lands as to Creditors ſhall be held, & eſteem
ed as Chattels are in the Common Laws o
England,

England, and be liable to be extended and sold for Debts; but if there are no Debts, then the Lands of Inheritants to descend to the Heir, or be disposed of by the last Will and Testament in Writing of the Owner deceased, and no fetter'd Estates in Tail to be allowed here: but all Estates Fee-simple, as at the Common Law of *England*. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

37 ITem, for to defray the publick charges of this Island: It is ordained, that no Merchant, or Mariner that Tradeth to this Island, shall put on shore any Wine, Sack, Spirits, Beer, or any other strong Liquors, untill they have made a true entry of the same in the Office for that purpose appointed, and given security for the payment of the rates hereafter expressed for the several Liquors, after sale made thereof, or of part of the same, *viz.* For every Tun of Spanish Wine two hundred pounds of Sugar, and for every Tun of French Wine one hundred and fifty, and for every Tun of Beer one hundred pounds of Sugar, and for Cyder one hundred pounds of Sugar per Tun, and so proportionable *pro rato*: And for every Gallon of strong Liquors imported two

pounds of Sugar: And whosoever shall put any of the said Liquors into a Boat with intent to Land the same, or shall Land the same, the said Imposition neither paid nor secured, shall upon proof thereof forfeit the said drink, or Liquors, or the value thereof, the one moyety to the publick use, and the other to the party that shall Inform, and prove the same in any Court of Record within this Island. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

38 ITem, for the encouragement of Trade, the Creditor, that hath an Execution may lay his attachment on what he shall finde, and all Merchants are to observe this rule: In the first place to attache Goods, if none, then Cattle, Stock, Negroes, or Horses, or Servants, if none, then Lands and Plantations, and what of these the Creditor can shew, the Marshal is hereby ordered to attache in order aforesaid. And not to expect what the Debtor will shew. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

39 ITem, Servants wages shall be paid in Goods, according to the true value thereof, as it passeth from man to man, and the last

last Master shall pay the said Servant, in whose service his time expireth. Given under my hand this 7 of *October*, 1652.

Signed, *Daniel Searle*.

40 ITem, all *English* Ships, or belonging to the *English* Nation, Trading to this Island which carry Guns, shall not be permitted to Trade, untill they have paid, or secured for every Tun their ship is in burden, half a pound of Powder. And every Forreigner, or Alien one pound of Powder, into the hands of the Treasurer for the time being, and obtained his Certificate for the satisfaction of the same. Given under my hand this 7 of *October*, 1652.

Signed, *Daniel Searle*.

41 ITem, that no Deed shall be sufficient in Law, to bar any Purchaser to pass any Estate of Land, unless the same be acknowledged before the Governour, or one of the Chief Judges of one of the Courts within this Island, and enrolled at length in the Secretaries Office within three moneths of the date and delivery thereof: And in case the Granter shall refuse, or doth not, on Summons, appear to acknowledge the same, then upon proof made by the witnesses before such Governour,

or Judge, that the said Deed was duely sealed and delivered within the said time, shall be sufficient for recording the same. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

42 ITem, in case any married woman be willing to sell, or convey any Land which belongeth unto her, if such married woman come voluntarily before the Governour, or any one of the Chief Judges of some one Court, and acknowledge that she doth it freely and willingly, without compulsion, such acknowledgement recorded and certified into, and filed in the Secretaries Office, shall be sufficient and available in Law, to pass such Land, or Tenements, as a Fine Levied in *England*, to all intents and purposes whatsoever, and of the same force and effect shall a Fine Levied in *England* be of Lands here. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

43 ITem, in regard that by reason of the great and unhappy distractions here, many persons have been enforced to leave this Island, and others that had Estates here durst not come to prosecute their rights: Be it therefore

fore ordained, that all persons that have any right to Land in this Island, Have from and after the publication hereof, two years time to record their old Deeds, and to make their claim, and prosecute their rights to any Land, or Tenements within the same, any former Law to the contrary notwithstanding: But if no claim, or prosecution with effect be made within two years next ensuing, then all their rights to be barred for such defaults; except the persons having right shall be under age, of unsound memory, or married women; so as they prosecute the same within one year after they become of a legal capacity; and except such who have, or whose Ancestors, or they from whom they claim, have been in possession within five years next before such claim to be made as aforesaid. Given under my hand the 7 of *October*, 1652.

Signed, Daniel Searle.

44. ITem, the Secretary nor his Clerk shall not neglect the recording any Deed duely acknowledged, upon pain of being responsable to the party grieved, for the damage he may sustain by such delay, the same to be recovered by action in any Court of Record of this Island: And the said Secretary nor his Clerk

Clerk shall not directly, or indirectly take or receive above twenty pounds of Sugar for recording of every such deed upon pain of forfeiture of a thousand pound of Sugar for every pound he shall take more than is here allowed, the one half to the publick use, the other half to the Informer to be recovered as aforesaid. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

45 *Item*, whosoever shall imbezel, interline, or raise any Record, and be thereof legally convicted, shall have Judgement, and suffer as in case of Felony, and his estate go to the satisfaction of the party injured thereby. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

46 *Item*, no woman shall be endowed of any Lands, but onely of one third of such Lands and Tenements, whereof her husband died seized, and of none other. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

47 *Item*, the Testimony of no person that is in health, and within this Iland, shall be

be taken to be good evidence in any Court of Common Pleas, unless the said person be present in Court, and personally give his evidence to the Jury, or otherwise. But if such witness be to go off the Island, or extream sick, then a Deposition in such case taken by any Judge, or Assistant of the Court in presence of the Plantiff and Defendant, or some for them, shall be held sufficient and good evidence in Law to all intents whatsoever. But if the said Plantiff, or Defendant shall not come being summoned, the evidence to be taken without them. Given under my hand this 7 of *October*, 1652.

Signed, *Daniel Searle*.

48 Item, to prevent the injurious keeping of Run-away Negroes. It is ordained that no Master of a Family, or Overseer shall wittingly, or willingly keep such Negro in the Plantation above forty eight hours: If they do they shall forfeit for every twenty four hours after the said forty eight, one thousand pound of Sugar, the one half to the Owner of the said Negro, and the other half to the Informer: Which Informer if he be a servant to the party that shall wrongfully detain the Negro, he shall from thenceforth gain and enjoy his freedom for such his honest information: And if a ser-

a ſervant ſhall keep, or detain any ſtrange Negro,
he ſhall ſerve the Owner of the ſaid Negro for
ſuch his offence, four years after his time by
Indenture, or otherwiſe out. And the ſaid Ne-
groes ſhall be delivered to their proper Own-
ers, or be carried into the cuſtody of the Pro-
voſt-Marſhal: And he that brings the Marſhal's
Certificate thereof to *Mr. James Beak*, store-
houſe-keeper to Colonel *Drax*, ſhall receive the
value of thirty four pounds of Sugar of him
the ſaid *Beak*. And the ſaid Marſhall may law-
fully keep ſuch Negro in his cuſtody, untill he
be paid four pounds of Sugar per day for his
diet, for every day he hath been in Goal, and
thirty eight pounds of Sugar to the ſaid *Beak*
for what he hath laid out, (the party owning
the ſaid Negro, bringing a Certificate thereof
under the ſaid *Beak's* hand to the Marſhal.
And if the ſaid *Beak*, or any perſon hereafter
to be named by the Governour and Council,
ſhall refuſe to pay the ſaid thirty four pounds
of Sugar; upon complaint & proof thereof to
the next Juſtice of the Peace, the ſaid Juſtice
hath hereby power by his Warrant, to cauſe ſo
much with coſts to be attached, appraiſed, and
delivered the ſaid Plantiff, and if any Negro
ſhall die in Goal for want of food, the Marſhal
ſhal be reſponſible for him to the Owner: And

if

if he ſuffer any to run away, he ſhall pay the ſaid Bank, or whoſoever hereafter ſhall be appointed, the ſaid thirty eight pounds of Sugar. The ſame, and all other forfeitures herein mentioned to be recovered by action in any Court within this Iſland. Given under my hand this 7 of October, 1652.

Signed, Daniel Searle.

An Act for the prohibiting the unneceſſary waſting of Powder, and to prevent the diſturbance of the Inhabitants of this place by Allarms.

49 WHereas Allarms taken by the diſcharging of three Muskets, were formerly upon good reaſon uſed in this Iſland, in regard of the great diſtance that was between Plantation and Plantation, and the ſmall number of Inhabitants: But now ſince by Gods bleſſing the land is ſo full of people, & Plantations, ſo near one to another, that the ſame old Cuſtom may ſeem not onely unneceſſary and uſeleſs, but alſo a means of great diſturbance and diſtraction to the Inhabitants, and a great means of waſting and ſpending Ammunition. For remedy whereof, Be it ordained, enacted, and eſtabliſhed by the Governour and Coun-

cil,

cil with the consent of the Gentlemen of the Assembly, that no person, or persons within this Island, do after Publication hereof, presume to give, receive, or answer any such Alarum; And be it further ordained, and enacted by the Authority and consent aforesaid, that no Muskets, or other Fire-Arms shall be hereafter discharged, either on *May day*, *Christmas* or other Festival dayes, or at the drinking of healths, or any other such vain occation, upon the penalty of forfeiting of one thousand pounds of Sugar for every offence against this Act, the same to be levied upon the said parties so offending after conviction before any Justice of the Peace by Warrant of the said Justice, & to be paid in to the publick Treasurer or such other person as the Governour, or his Successors shall appoint, to be applied towards the Forts, and the encrease of the publick Magazeen, any Law, Act, Statute, or former usuage to the contrary hereof notwithstanding. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

An

An Act against the stealing away of Negroes from of this Island.

50 WHereas divers wicked Persons have lately attempted to steal away Negroes, by the false pretence of promising them Freedom in another Countrey, for which great offence no punishment suitable have been yet appointed. Be it therefore enacted and ordained by the Governour and Council, with the consent of the Gentlemen of the Assembly, that what person soever shall directly, or indirectly at any time after publication hereof, perswade any Negroes to leave their Masters service (to whom they are Slaves) with an intent to carry them, or any of them out of this Island, or shall carry any of them out of this Island, and be thereof legally convicted, shall be adjudged a servant for seven years to the Owner of the said Negroes, any Law, Custom, or Usage to the contrary hereof notwithstanding. Given under my hand this 7 of *October*, 1652.

Signed, Daniel Searle.

A

A Declaration of the Governour, Council and Gentlemen of the Assembly, concerning the Engagement.

SEeing it hath pleased God to re-unite
to our Native Country, and to our gre
comfort put us under the Government, a
Protection of the most powerfull Commo
wealth of *England*, and made us sharers a
partakers of their Priviledges and freedom
we cannot therefore but conceive our selv
bound in duty to that God, that hath so bl
sed us, to our Native Country, and you th
have entrusted us, prudentially to use all La
full means for preserving such precious Jew
for our future comfort and happiness: In o
der to which at the instant, and earnest requ
of the Gentlemen of the Assembly, with
consent of the Governour and Council. Be
published and declared, that the National E
gagement in pursuance of that Law made
the Parliament of *England*, dated the seco
of *January*, one thousand six hundred forty
nine, which unites the hearts and mindes
the *English* Nation to be faithfull to th
Common-wealth, as it is now establish
without King, or Lords, be taken and su
scribed by all, and every the Inhabitants of th
Islan

Island of eighteen years of Age, or upwards, in such manner and form as is [illegible] by the said Act herewith published is ordained and provided, any former Law, Custom, or Articles, on the surrender of this Island, to the contrary in any wise notwithstanding. Given under my hand this 4 of *March*, 1651.

Signed, George Ayscue.

An Act for subscribing the Engagement.

WHereas divers disaffected persons, do by sundry wayes and means oppose, and endeavour to undermine the Peace of the Nation under this present Government, so that unless special care be taken, a new war is likely to break forth. For the preventing whereof, & also for the better Uniting of this Nation, as well against all invasions from abroad, as the common enemy at home: And to the end that those which receive benefit, and protection from this present Government, may give assurance of their living quietly and peaceably under the same, and that they will neither directly nor indirectly contrive, or practice any thing to the disturbance thereof: The Parliament now Assembled do enact and ordain: And be it by Authority of this present Parlia-

ment enacted and ordained, that all men whatsoever within the Common-wealth of *England*, of the age of eighteen years and upwards, shall, as is hereafter in this present Act directed, take and subscribe this Engagement following, *viz.* *I do declare and promise, that I will be true and faithfull to the Common-wealth of* England, *as it is now established without a King, or House of Lords.* And for the due taking and subscribing thereof, be it further Enacted by Authority aforesaid; that all, and every person, and persons, that now hath, or hereafter shall have, hold, or enjoy any place, or employment of publick trust whatsoever within the said Common-wealth, or that do receive, or take any benefit, or profit by, from, or out of any such Office, or place of trust, or employment, that hath not formerly taken the said Engagement by vertue of any order, or direction of Parliament, shall take and subscribe the said Engagement, at, or before the twentieth day of *February*, in the year one thousand six hundred forty and nine, before the Lords Commissioners of the Great Seal of *England*, or before any two, or more such persons as the said Lords Commissioners of the Great Seal shall appoint thereunto, or before any two, or more Justices of the Peace within any

any County, Citie, or Town Corporate respectively, where such person, or persons so taking and subscribing the said Engagement, do, or shall reside, or dwell; which said Engagement, the said Lords Commissioners, Justices of the Peace, and persons abovesaid are hereby Authorized to give, and Administer unto all and every such person, or persons that have, or hereafter shall have, hold, or enjoy any place, or employment of publick trust, or any place, or Office of trust, or profit whatsoever, as abovesaid.

And the said Lords Commissioners of the Great Seal of *England*, or such as they shall nominate, or appoint (and the said Justice of Peace as abovesaid) shall, and are hereby required to Certifie in writing under their Hands and Seals the said Engagement, and the names of the persons abovesaid, so taking and subscribing the same before them respectively, and the time of their taking, and subscribing the same unto the Clerk of the Parliament for the time being.

And be it further enacted and ordained, that all, and every person, or persons, which now have, or hereafter shall have, hold, or enjoy any such Office, place, imployment, benefit, or profits as abovesaid, that before the twentieth day

of *February*, which shall be in the year one thousand six hundred forty and nine, shall not take and subscribe the said Engagement as aforesaid, or that after the said twentieth day of *February*, in the year one thousand six hundred forty and nine, shall have, hold, or enjoy any such Office, place, imployment, benefit, or profits as abovesaid, and shall not take and subscribe the said Engagement as abovesaid, before they do, or shall take upon them, or execute by themselves, or by their Deputies any such Office, place, or imployment as abovesaid, or receive, and take such benefit and profit as abovesaid: shall forfeit all such Offices, places, imployments, as abovesaid; and are hereby declared to be disenabled to have, hold, or enjoy the same, and to forfeit double the value of all such profits and benefits, as they shall receive and take as abovesaid, the said forfeitures to be levied by the Committee of Indempnity, by distress and sale of the offenders goods respectively, or by imprisonment of the persons so offending as abovesaid, untill the said forfeitures be duely paid and satisfied: which said forfeitures shall be disposed of by the said Committee, one moyety to the Informer, or persons complaining, the other moyety to the Treasurers, for wounded and maimed

maimed Souldiers and Mariners, in such County, Citie, or Town Corporate, where such persons so offending, do, or shall reside, or dwell. And the said Committee of Indemnity are hereby Authorized to hear, and determine the same, and to examin upon Oath, and otherwise to proceed according as in cases of Delinquent Officers, they are directed and injoyned by Parliament. And it is further enacted and declared, that all, and every person, or persons that expects benefits from the Courts of Justice of this Common-wealth, and that either now are, or hereafter shall be Plaintiff, or Plaintiffs, Demandant, or Demandants in any suit, Plaint, Bill, Action, Information, Writ, Demand, Execution, or any other Process whatsoever, in any of the Courts of Chancery, the upper Bench, the Common-Pleas, Publick Exchequer, Dutchy Court, or in any other Court of Record, or in any other Court in any County, Citie, Town Corporate, or in any place of Priviledge, or any other place whatsoever, within the Common-wealth of *England*, or before any Judge, or Judges, or other Person, or persons that have, or claim to have Cognizance of any manner of Pleas, or before any Commissioner, or Commissioners under the Great Seal of *England*, or by any

other lawfull Authority, or before any perſon, or Perſons as Commiſſees, or Commiſſioners, or otherwiſe Authorized by Authority of Parliament ſhall take and ſubſcribe, and are hereby required to take and ſubſcribe the aforeſaid Engagement, as in this preſent Act is directed and appointed. And that it ſhall and may be lawfull for all, and every perſon, or perſons that are, or ſhall be Defendant, or Defendants, or that are, or ſhall be Sued, Impleaded, Attached, Arreſted, Moleſted, or complained againſt in any ſuch Courts as aboveſaid, or before any of the ſaid Judges, Commiſſioners, or perſons aboveſaid by themſelves, or by ſome others on his, or their behalf, from and after the twentieth of *April*, in the year one thouſand ſix hundred and fifty, to plead Aver, or to move in Arreſt of Judgement, or to move for a Superſedeas, or ſtopping further proceedings in ſuch Suits, Plaints, Bills, Actions, Informations, Writs, Demands, or Executions, or any other Proceſs whatſoever as aboveſaid, that the Plantiff, or Plantiffs, Demandant, or Demandants, Perſon, or Perſons complaining, or any of them in ſuch Suit, Plaint, Bill, Action, Information, Writ, Demand, Execution, or other Proceſs whatſoever as aboveſaid, and have not taken and ſubſcribed

ſcribed the ſaid Engagement as above is directed and appointed, and thereupon all, and every the Judges of ſuch Courts and perſons as aboveſaid, before whom ſuch Suits, Plaints, Bills, Actions, Complaints, Informations, Writs, Demands, Executions, or other Proceſs is, or ſhall be depending, ſhall and may, and are hereby Authorized and required to admit ſuch Plea, or Averment in ſtop of all, or any ſuch Suits, Plaints, Bills, Actions, Informations, Writs, Demands, or other Proceſs as aboveſaid, and all ſuch Pleas and Averments, or motions in Arreſt of Judgement, or in Superſeding, or ſtopping further proceedings as aboveſaid, and to hear and determin the ſame, and to ſtop all further proceedings in all Suits, Plaints, Bills, Actions, Informations, Writs, Demands, Executions, or other Proceſs as aboveſaid, untill it ſhall duely appear unto the ſaid Judges, Commiſſioners or Perſons aboveſaid reſpectively, and that the ſaid Plaintiff, or Plaintiffs, Demandant, or Demandants, or Perſons complaining, have and ſhall ſubſcribe the ſaid Engagement. And it is further enacted and declared, that for the better trial of the matter of Fact, whether ſuch Plaintiff, or Plaintiffs, Demandant, or Demandants, or any of them have ſubſcribed the ſaid Engagement or

no, it shall and may be lawfull for all and every such Plantiff, or Plantiffs, Demandant, or Demandants, or persons complaining as aboveſaid, or any of them in open Court where such Suit is depending, or in the preſence of one, or more of the Judges of the ſaid Courts reſpectively, or in the preſence of one, or more of the ſaid Commiſſioners, or perſons as aboveſaid, before whom ſuch Suits, Plaints, Bills, Actions, Informations, Writs, Demands, Executions, or other Proceſs is, or ſhall be depending to ſubſcribe the ſaid Engagement, and to produce, or cauſe to be produced a Certificate under the Hands and Seals of any two Juſtices of the Peace, Commiſſioners for the Monethly Aſſeaſement, Majors, or Chief Officers of any Citie, or Town-Corporate, where ſuch perſon doth reſide, inhabite, or dwell, that the ſaid Plantiff, or Plantiffs, Demandant, or Demandants, or any of them have ſubſcribed the ſaid Engagement, and true Copy of the ſaid Engagement and ſubſcription thereunto, unto the ſaid Court, Judges, Commiſſioners and perſons as aboveſaid reſpectively, before whom ſuch Suits, Plaints, Bills, Actions, Informations, Writs, Demands, Executions, or other Proceſs is, or ſhall be depending, and from, and after ſuch ſubſcripti-

ons

ons of the said Engagements in Court before the Judges, Commissioners, Justices of the Peace, Majors, or Chief Officers, or persons as above said respectively, and the same entred upon Record in such Court, or Courts as before such Judges and other persons as above-said, before whom such Suits, Plaints, Bills, Actions, Informations, Writs, Demands, Executions, or other Proceedings, shall be depending to proceed according to Law, as if no such Plea, or Averment had been made. And it is hereby further Enacted, that all Justices of the Peace, Commissioners for the Monethly Assessment in the several Counties respectively, or any two of them within their respective Counties, Cities, and Towns-Corporate, shall, and may, and are hereby Authorized and required from time to time to receive and take subscriptions thereunto from all such persons of the age of eighteen years, and upwards, that reside, live, and inhabit within the said Counties, Cities, and Towns Corporate respectively, as shall and will subscribe the same, and all such Engagements and subscriptions so taken and subscribed, within one Moneth after such taking and subscription from time to time to certifie unto the Sheriff of the said County respectively; who is hereby Authorized and required

quired to enter into a book the said Engage-
ment, and the names of all such persons be-
fore whom, and the time when such Engage-
ments and subscriptions were so had and ta-
ken, and the said book at the going out of his
Office, or oftner, if he be thereunto required by
the Parliament, or Council of State, send, or
deliver, or cause to be sent, or delivered unto
the Clerk of the Parliament for the time being.
Provided that this Act, or any thing therein
contained shall not extend to any Merchant
that doth, or shall reside beyond the Seas, that
in the Court of Admiralty, or any other Court
doth, or shall sue for any goods, or Merchan-
dizes by him imported, brought, or shipped
into some Port, or Harbours of this Common-
wealth, or such goods and Merchandizes of
such Merchants beyond the Seas to be trans-
ported out of this Common-wealth into any
Forreign Nation, or Kingdom, or to any per-
sons residing beyond the Seas. Owners of any
Ships, Boats, or Vessel that doth, or shall sue
for such Ships, Boat, or Vessels, or for fraight
or goods belonging to such Vessels, or for any
fraight, Mariners wages due for the hire, or
fraight of such Ship, Boat, or Vessel, due to
such persons as do, or shall live, inhabit, and
reside beyond the Seas as aforesaid; provided
al-

alwayes, And it is further Enacted, that this Act, or any thing therein contained shall not extend to any person, or persons that are, or shall be Indicted, Arraigned, Arrested, Attached, Imprisoned, complained against, or molested for Treason, Felony, breach of the Peace, or the good behaviour, but that the Judge and Judges, Commissioner and Commissioners, Justice and Justices, before whom such person, or persons are, or shall be Indicted, Arraigned, Arrested, Attached, Imprisoned, complained against, or molested, shall and may proceed, notwithstanding any such Plea and Averment as aboveſaid. And further it is Enacted and provided, that this Act, or any thing therein contained shall not extend to any person, or persons, that are, or shall be sued in any Courts aboveſaid, or before any Judges, or Commissioners aboveſaid, that after issue joyned, and at the time of Trial of such issue shall then owe, and plead that the Plaintiffs, or persons demanding as aboveſaid, hath not taken the said Engagement, but that the Judge and Judges, Commissioner & Commissioners, and persons as aboveſaid, shall and may proceed to the Trial of the said issue, as if no such Plea, or Averment had been made.

Die Martis, 2 Jan. 1649. *Ordered by the Parliament that this Act be forthwith printed and published.*

Hen. Scobel, Clerk Parliament.

BARBADOS.

BY the Governour and Council, with consent of the Gentlemen of the Assembly, 4 *March*, 1651.

IT is Ordered that this Act be published by the several Ministers in the respective Parish Churches, within this Island.

John Jennings Deputy Secretary.

An Act for the departure of the Lord Willoughby *of this Island.*

52 WE the Representative body of this Island, being very sensible of the late miseries and afflictions that have long lain upon us, and being bound in duty to offer all means and wayes unto consideration that may prevent the same for the future; and being very apprehensive how prejudicial it may prove to the Peace of this place to have the Lord *Willoughby* to remain any longer, or ever coming a shoar again upon this Island, we do therefore desire that it may be ordained and declared. And be it ordained and declared by the

the Governour, Councel, and Gentlemen of the Assembly, that the said Lord *Willoughby* shall by Frydray, the 12 day of this instant *March*, before twelve of the Clock at noon repair aboard, the Ship called the *Red Lion*, now riding at Anchor in *Barbary-bay*, which Ship was by the States Commissioners appointed for him, and be it further ordained and declared, that the said Lord *Willoughby* shall not hereafter land upon this Island, under the penalty of being proceeded against as an Enemy to the Peace thereof, unless he shall be licensed thereunto by the Parliament of *England*. Provided nevertheless, that the said Lord *Willoughby* be not disenabled hereby to appoint any person whatsoever to be his Attorney, to act and do for him in his particular affairs according to Law; and such of the Inhabitants of this Island, to whom the said Lord *Willoughby* is any wayes engaged, are to take notice hereof, that they may seasonably take some course to make their Debts appear, and receive payment from the said Lord *Willoughby*, or his said Attorney. Given under my hand this 4 *March*, 1651.

Signed, George Ayscue.

An

An Act for the preservation of the Peace of this Island.

THe Gentlemen of the Assembly be
intrusted by the Inhabitants of
Island, to represent such things in this gene
meeting as may conduce to the settlement a
preservation of the Peace of the same, ha
into their serious consideration the pres
State of Affairs, and upon mature deliberat
thereof do unanimously, and in the name of
whole Country desire, that it may be orde
ed and enacted, and be it ordained and enac
by the Governour, Council, and Gentlem
of the Assembly, that Colonel *Humphry W*
rond, Mr. *Edward Waleond*, Colonel *He*
Shelley, Major *William Byam*, Lieutenant C
Henry Guy, Collonel *Thomas Ellis*, Cap
William *Harmin*, Captain *Henry Bowcher*,
Captain *George Usher*, do forthwith depart t
Island by repairing aboard such Ship, now
ding in *Hanleys-Bay* as shall be appointed
them, and not return again upon the same, u
till the five and twentieth day of *March* o
thousand six hundred fifty and three, under t
penalty of being proceeded against as Enem
to the Peace of this Island, unless he, or the
that shall return before that day have a licence

for

for the same from the Parliament of *England*, provided nevertheless, and it is the true intent and meaning of this Act, that it shall be in the power of the said persons, and every of them to appoint what persons they shall please to be their respective Attorneys to manage their Estates here, and to sue and Act for them in as ample and full manner as any Attorney whatsoever, to any person whatsoever can, or lawfully may act or do: It never entring into the thoughts of this present Assembly, that they should be in the least prejudiced in their Estates, or any other their Priviledges, Liberties, or Freedoms whatsoever. Given under my hand this 4 of *March*, 1651.

Signed, George Ayscue.

A Declaration by the Governour and Council, set forth, to give full satisfaction to the Inhabitants of this Island, concerning an Act imposing the departure of some Gentlemen of this Island for one year.

HAving with as much speed as would stand with the important affairs of this Island, setled the powers both civil and military within the same, we could not be at rest, or satisfie our selves, that we had made a full per-

performance of our trust, being so stron
obliged by the Articles for the calling a
Assembly, and before which no Execution,
Final proceedings in Law could be had, un
the representative body of this people had
ven us a full meeting in a general Assemb
that by advising with them (as the eyes
ears and mouths of this so considerable a
of the Common-wealth of *England*) we mig
be informed what was left undone in order
their future safety & persuasion, resolving
as on the Treaty, to grant all for the good
this place; so likewise in this meeting chearf
ly to consent to what shall appear unto us to
the unanimous desires of them in promot
the Honour & Interest of the Common-wea
of *England*, and the Peace, and welfare of t
people, thinking it our duty to ease you,
onely of those cruel pressures and burdens
have groaned under, but also even of the le
of your fears and jealousies of future troubl
we being very desirous to settle you in so ab
lute a tranquility of affairs, as may be above
least doubt of a Relapse; and that our inte
tions do not in any measure varie in these
professions, we have we hope given you a
ple Testimonies in consenting to every thi
that could be proposed, and also in all tha

stan

hands; with the ſence and true meaning of the Articles, and in this particular Act for the withdrawing of thoſe Gentlemen of the Iſland for one year, for the quieting of the mindes of the people, which though it may ſeem to claſh with the Articles in the Letter, yet it is clear and apparent to all ingenious men, that the Articles being made for the benefit and good of this people (all, or any part of them, or any clauſe therein) may upon the deſires of the ſame people be diſcharged, or ſuſpended: And the Gentlemen therein named cannot juſtly ſay they have any wrong done them, in regard what is done, is as it were by their repreſentatives; and ſo by conſequence by their own conſents and deſires, (they themſelves having had a free Vote in the Election of them) it being a Maxim both in Law and reaſon, that no man can truely ſay, that to be wrongfully done him, which is with his own conſent. And as we have for your publick ſafety. And to ſatisfie your earneſt deſires in this complied with you, ſo you may reſt aſſured, that no part, or tittle of thoſe Articles ſhall be infringed, or in the leaſt impeached by us; Neither ſhould we in this particular have at all proceeded, had not you made it ſo evidently apparent, that it was for the preſervation of your peace and ſafety,

which is onely and chiefly aimed at by the Scope and intent of these Articles. Given under my hand this 4 of *March*, 1651.

Signed, George Ayscue.

An Act for setling the Estates and Titles of the Inhabitants of this Island, to their possessions in their several Plantations within the same.

55 THe Gentlemen of this present Assembly, taking it into their serious consideration, that a great cause of their late troubles was by reason of the great distraction and ignorance the good people of this Island were in whom they should obey, and what Authority they should acknowledge to be Supream. For the better information therefore of the said people in that particular, the said Gentlemen of this Assembly do desire, that it may be published and declared; And be it published and declared by the Governour and Council and with the consent of the Gentlemen of the Assembly, that the Letters Patents intituling the Earle of *Carlile* to the dominion of this place are quashed, and declared to be void by the Authority of the Parliament of *England*, and all other Powers, Authorities, Commissions, or any other pretended Writing, Deeds,

or

or Charters, derived from the late King, or his Predeceſſors, or from Kingly Authority, or from any perſon, or perſons whatſoever, claiming, or pretending to claim from, by, or under the ſaid Kingly Authority, or any derived therefrom are abſolutely void, determined, expired, and of none effect to all intents and purpoſes whatſoever, and hereof the people of this Iſland are to take notice, requiring them to yield all due obedience and ſubmiſſion to the Parliament of *England*, the Supream Authority of the *Engliſh* Nation, and to no other Authority whatſoever. And whereas ſcruples may hereby ariſe among ſome people concerning their reſpective Titles they have to their ſeveral Eſtates: Be it further publiſhed and declared by the Authority and conſent aforeſaid, that all the Inhabitants of this Iſland that are in quiet poſſeſſion of any Lands, or Tenements by virtue of any Warrants from the former Governours of this Iſland, as by conveyance, or other Act in Law from them who had the ſaid Warrant, ſhall have, hold and enjoy the ſame as their free Eſtates, without any interruption, or moleſtation whatſoever; any adnulling, or making void of the ſaid Letters Patents in any wiſe notwithſtanding. Given under my hand this 5 of *March*, 1652.

Signed, George Ayſcue.

An Act for repealing all Laws, concerning the late differences.

BE it ordained and enacted by the Gover-nour and Council, and with the consent of the Gentlemen of the *Assembly*, that one *Act* dated the 10 day of *May* 1650. entituled an *Act* for the preservation of our present and future peace of this Island, and for punishing the late disturbers of it. And another *Act* intituled an *Act* of thanks-giving to the well affected to his Majesty, lately in arms within this Island, and another *Act* dated the 13 of *July* 1650. entituled an *Act* for security of such persons as shall engage themselves for furnishing the Island with necessaries requisite for the defence of the same. And another *Act* of the same date, entituled an *Act* for the speedy fortification of the marine parts of this Island. And another *Act* dated the 9 of *August* 1650. entituled an addition to an Act formerly made for the confiscation of fugitives Estates. And another Act dated the 17 of *October* 1650. entituled an acknowledgement and Declaration of the Inhabitants of the Island of *Barbados* of his Majesties Rights to the Dominion of this Island, and the Rights of the Right Honourable

lle the Earle of *Carlile* derived from his said Majesty, and by the Earle of *Carlile* to the Right Honourable the Lord *Willoughby* of *Parham*. As also for the unanimous profession of the true Religion in this Island, and imposing condigne punishment on the opposers thereof. And another Act dated the 17 of *October* 1650. entituled an Act for the restoring all the late Petitioners not censured to banishment, and others, who shall be conformable to their former Priviledges and Immunities, with the rest of his Majesties Loyal Subjects within this Island. And another Act dated the 6 day of *December* 1650. entituled an Act for the appointing and authorizing of a Committee for publick safety. And another Act of the same date, entituled an Act for the continuance of the Peace of this Island, and for the preservation of the Government, and Inhabitants thereof. And another Act dated the same day, called an Addition to a former Act, entituled an Act for the speedy fortification of the Marine parts of this Island. And another Act dated the 6 day of *December* 1650. called an Act for the encouragement of the Inhabitants of this Island, to lend goods for the defence thereof. And also another Act dated the 19 day of *February* 1650. called an Act for the

defence of the Governments, Liberties, and Freedom of this Island. And another Act dated the 20 day of *February* 1650. entituled an Act for the security of any Ships riding in any Bayes or Roads, in, or about this Island. And another Act dated the 21 of *March* 1650. called an Act for the settling of a standing force within this Island. And another Act dated the 3 of *April* 1651. called an Act for the borrowing of goods for the present defence of the Island. And another Act of the same date, stiled an Act for the borrowing of goods of the several Merchants, and Factors within the Island for their own, and the Countreys security. And one Declaration dated the 11 of *June* 1651. entituled a Declaration by the Lord Lieutenant General, and the Gentlemen of the Council and Assembly, set forth for satisfaction of all the Inhabitants of the Island of *Barbados*. And also one Act dated the day of *June* 1651. entituled an Act inflicting an Oath, to be taken by all Freeholders that have lately arrived to this Island, or that arrive to the same after publication hereof. And another Act dated the 11 of *September* 1651. entituled an Act for the sequestring of Delinquents Estates, as also a Declaration set forth by the Representative body of the Island

of

of *Barbados*, met together in the general Assembly the 4 of *November* 1651. And one Act dated the 5 of *December* 1651. entituled an Act for the supply of the Army with this Countrey spirits. And another Act dated the 25 day of *December* 1651. entituled an Act for the setling the peace and quiet of this Island, be absolutely and fully repealled, adnulled, and made void to all intents, constructions and purposes whatsoever: And be it further ordained by the Authority and consent aforesaid, that in regard the said Acts and Declarations above mentioned, do containe matters derogatory from the Honour, Power, and Authority of the Common-wealth of *England*, that they be forthwith blotted out, and fully expunged out of the book of Records, to the intent they may be no more seen and perused, but buried in perpetual oblivion: And be it further ordained by the Authority and consent aforesaid, that all Orders and Decrees made since the 10 day of *May* 1650. concerning the late unhappy differences bt, and are hereby declared void and null, to all intents, constructions & purposes whatsoever, any thing in them contained to the contrary notwithstanding. Given under my hand this 12 of *March*, 1651. *Signed, George Ayscue.*

Repealed. *An Act imposing a Custom upon the Native Commodities of this Island exported from the same, for the space of one year from the date thereof fully to be compleat and ended, and no longer.*

57 THe Gentlemen of the Assembly, ta king into their serious consideration the greatnes of the publick debts, contracted by reason of these unhappy differences, the necessity of building a Bridge, a stone Prison, the p for the Souldiers at the Block-house at *Needhams* point, the Honourable support of the Governour, Government, and the defray of the other publick charges, have thought it necessary to desire that it may be enacted and ordained. And be it enacted and ordained by the Governour and Council with the consent of the Gentlemen of the Assembly, that there be laid on all the Native goods to be exported hence an imposition commonly called a Custom, after the rate and proportion hereafter ensuing, that is to say, that every Free-holder and Planter within this Island, that shall after the one and twentieth day of this instant *March*, and before the one and twentieth day of *March*, one thousand six hundred fifty and two, Ship any goods arising from, and of the growth of his own

own Plantation, the same being *bona fide*, for his own proper and particular accompt, or for the proper particular accompt of his partner, or partners in that Plantation, whence the said goods did rise as aforesaid, & not being directly, or indirectly for the discharge of any debt, or duty, or in payment of, or for any merchandize whatsoever payable here, shall pay for the same unto the Treasurer for that purpose to be appointed by the Governours Commission for the use of the Countrey, two pounds for every hundred weight, at five score to the hundred, of all such goods for to be shipt as aforesaid, of the same kinde and species of which the said goods are, and so in proportion after the rate aforesaid, and of all goods of the growth of this Island to be transported by Merchants, or others for the payment of Debts, or clearing ingagements in parts beyond the Seas, and not for the proper accompt of him on whose Plantation the Sugar was made, the quantity of four pounds for every such hundred weight, the same to be paid as aforesaid, in the species and kinde of the goods so to be transported, and after that rate and proportion respectively, and to the intent the several impositions by this Act may be duely leavied: Be it further ordained and enacted by the Authority and con-

consent aforesaid, that an Office be set up wherein the said goods so to be exported shall to be entred, and the Custome due thereof by virtue of this Act paid, or otherwise compounded for. And that such Officer be made concerning the said leavies (by vertue of the Governours Commission) as may seem just and necessary in such manner and form as the use is in the like cases in the Common-wealth of *England*, or as near thereunto as may be. And be it further enacted by the Authority and consent aforesaid, that if any the goods above mentioned, on which the said Customary imposition is due by this Act, shall at any time after the said one and twentieth day of this instant *March*, and before the one and twentieth day of the said *March*, one thousand six hundred fifty, and to be shipt, or put into any Boat, or other Vessel, to the intent to be carried into any parts beyond the Seas, the said Imposition due for the same not being paid, or lawfully tendred to the Collector thereof, or his Deputy, or not having agreed with the Officer, or Officers, or other Deputies for the same, according to the true intent and meaning of this Act, that then and from thence forth all the said goods shall be forfeited, the one moyety thereof to be seized on by the Trea-

Treasurer, to be [illegible] for the use of the Commonwealth, and the other moyety to be to him or them that shall inform, sue or sue for the same in any Court of Record within this Island. And be it further ordained and enacted by the Authority and consent aforesaid, that in every Bay, or place from whence the goods of the growth of this Island are usually loaden, there be appointed a Searcher to live and abide there, & his name and place of abode to be publickly & notoriously made known, to the intent that all the said goods may be transported with his notice, and the said Imposition duely paid. And be it further enacted by the Authority and consent aforesaid, that all such goods as shall perhaps without the knowledge, or privity of such Searcher, or his sufficient Deputy in that case provided shall be forfeited, the same to be seized on, and disposed of in manner and form as is above limited. And be it further enacted by the Authority and consent aforesaid, that no Ship be stopped, or hindred of her voyage by the Searcher, or his Deputy, unless it can be made appear, that he hath more goods aboard than are mentioned in the Book of Entries. And be it further enacted, that one Act dated the nineteenth day of *October* 1650. Entituled an Act imposing the Customes

ſtomes impoſed and granted &c. be as to the ſaid Cuſtomes abſolutely repealed to all intents and purpoſes whatſoever. Given under my hand this 12 of *March*, 1651.

Signed, George Ayſcue.

By the Governour Council and Gentlemen of the Aſſembly.

58 WHereas it was appointed by Commiſſion from the Council of State that the Honorable Sr. *George Ayſcue* ſhould be Governour of this Iſland, during the time of his abode here, and after his departure by the ſame Commiſſion Collonel *Daniel Searle* Eſquire, one of the States Commiſſioners ſhould be his Succeſſor, and take upon him and execute the Office of Governour of this place, and whereas the ſaid Sr. *George Ayſcue* hath this twelfth day of *March* ſignified his reſolution of going off, and whereas divers people may diſpute that by this Cauſion and departure of the ſaid Sr. *George Ayſcue*, this preſent Aſſembly called, & all Commiſſions made by the ſaid Sr. *George Ayſcue* ſhould ſeem to be void; to prevent ſuch idle diſcourſes, and to ſignifie to all the Inhabitants of this Iſland the aſſurance and ſettlement of this Government, and

of

of all Officers instructed therein; Be it publiſhed, declared, and enacted by the Governour and Council, and with the conſent of the Gentlemen of the Aſſembly, that being the ſaid Col. *Daniel Searle*, Eſq; doth govern by, & continue on the ſame Commiſſion by which the ſaid Sr. *George Ayſcue* during the time of his aboad here did Govern: This preſent Aſſembly is not diſſolved, nor any Commiſſions, either civil, or Martial are void, or determined, but that the ſaid Aſſembly doth continue, and all the ſaid Commiſſions are and do, & ought to remain in their full Authority, force, and effect in as full manner as if no ſuch departure of the ſaid Sr. *George Ayſcue* had been, unleſs, or untill a further order be therein taken by the ſaid Colonel *Daniel Searle*, Eſq; the ſucceeding Governour. Given under my hand this 12 of *March*, 1651.

Signed, George Ayſcue.

An Act declaring what perſons ſhall be capeable to be Commiſſion Officers in the Militia.

59 UPon conſideration, that the putting of places of command in the Militia, into the hands of perſons decayed in their Eſtates, having

having no Free-holds within this Iſland, w
great cauſe of the late troubles and miſeries
which had near brought this place to ruin and
deſolation; For the prevention whereof for
the future. Be it publiſhed and ordained by
the Governour and Council, and with the con
ſent of the Gentlemen of the Aſſembly, that
no man ſhall be a Field Officer in Comman
within this Iſland, but ſuch as are Owners and
Poſſeſſors of one hundred Acres of Inheritan
in his own right at the leaſt; No man a Capt
but ſuch an one as hath fifty Acres at leaſt;
No man a Lieutenant, but ſuch an one as hath
twenty and five Akers; And no man an En
ſign, but ſuch an one as hath fifteen Acres
Provided nevertheleſs, that the ſubſtantial and
confiding Merchants, and Store-houſe keepers
at the Bridge, and other places near the Sea
ſide, may be put into Command convenient
for them, although they have no Free-holds
any thing herein to the contrary notwithſtand
ing. Given under my hand this 4 day of Ja
1652.

Signed, Daniel Searle.

An

An Act for punishing Offences, committed on the Sabbath day.

WHereas many loose, idle, and wicked-ly inclined people, instead of serving God on the Sabbath, spend the same in Riot, Drunkenness, Swearing, Cursing, Whoreing, Shooting, Gaming, Quarreling, and many other vitious and ungodly courses, whereby ignorance prevails, and the just judgements of God may be expected to fall on this Land, unless the same be by some good orders prevented: Be it therefore enacted and ordained by the Governour and Council, and with the consent of the Gentlemen of the Assemby, that whosoever shall after Publication of this Act, make any meetings on the Sabbath-day, or convein together, either in Houses, Highwayes, Woods, Fields, or any other place, & there shall be guilty of any of the afore mentioned disorders and misdemeanours, shall for every such meeting severaly forfeit one hundred pounds of Sugar, to be leaved on him, or them by distress, by Warrant under a Justice of Peace his hand, before whom the same shall be proved, the one half of the Sugar to the use of the Informer, and the other half to

be

be for the poor of the Parish, but in case the said person, or persons so offending be not able to satisfie the said fine of one hundred pounds of Sugar, then the said person shall receive by order of the said Justice, thirteen lashes upon his naked back. Given under my hand this day of *June*, 1652.

Signed, Daniel Searle.

An Act for the relief of Creditors, concerning their Debts long standing out.

61 WHereas divers debts have been contracted by the Inhabitants of this Island before the first day of *May* 1650. and the same remain yet unpaid, by reason of the negligence & carelesness of the Debtor, whereby the Creditors are damnified to the value of four *per Cent.* of their principal, the Act of Customes of four *per Cent.* interveming, within all reason and conscience should be paid by the Debtors: Be it therefore enacted by the Governour and Council, and with the consent of the Gentlemen of the Assembly, that in all such cases, the Judges of the several Courts within this Island, shall upon demand and proof duly made unto them of such ancient Debts as aforesaid, wherein Interest is not recovered,

covered, Order, and adjudge unto such Creditors four per Cent, and after that proportion over and above the principal Debt to be levied by Attachment, in such manner and form as the principal Debt ought to be. Given under my hand this 4 day of June, 1652.

Signed, Daniel Searle.

An Act to restrain the wandring of Servants and Negro's.

62 WHereas it hath been by dayly experience found, that many great mischiefs have risen in this Island, and to the particulars, Masters of Families, by the wandring of Servants and Slaves, on Sundayes, Saturdayes in the afternoon, and other dayes wherein the said Servants, or Slaves do not work, and in such times as they can get out of their Masters Plantations, by stealing and filching their Masters goods and provisions, and bartering and selling the same, for remedy whereof: Be it enacted and ordained by the Governour and Council, and with the consent of the Gentlemen of the Assembly, that every Servant that shall after Publication hereof absent himself out of his Masters Plantation, not having any Licence in writing under the hand of his said Master, or Overseer for the same, shall upon Conviction thereof, before any Ju-

stice of Peace within this Island, for every two hours absence be adjudged to serve his said Master one whole Moneth after his time by Indenture, or Custom is expired, and so in proportion for a longer, or lesser time of such absence. And be it further enacted by the Authority and consent aforesaid, that it shall be lawfull for and all the Masters of Families and Overseers are hereby required to apprehend all Negro's whatsoever, so wandring, without the Masters, or Mistress Ticket, or Overseers Licence, and them so apprehended moderately to whip and correct, which being done, they are to return them with a guard to their Masters or Mistress Plantation, if they know whose they are, and shall receive for the same two pounds of Tobacco, if the Plantation, to which they are so carried, be within one mile where such Negro is taken up; and so in proportion for every mile twenty pounds of Tobacco, the same upon proof of two witnesses to be ordered & adjudged by any one of the Justices of the Peace, whose Warrant shall be sufficient in case of refusal for the attaching, appraising, and levying the same: but in case the Owner of such Negro is not known, then they are to convey them to the Bridge, according as is directed in the Act for the run-away Negro.

Given

Given under my hand this fourth of *June*, 1652.

Signed, Daniel Searle.

An Act for the better incouragement of Trade.

WHereas Trade, being the life of this Iſland ought to receive all juſt incouragement, and for that ſufficient care hath not been formerly taken, nor proviſion made that the ſeveral commodities of this Iſland given and received in payment, that is to ſay, Cotten, Wool, Suger, Indico, and Tobacco, ſhould be of ſuch goodneſs as the ſame ought to be, whereby many taking advantage, do make and pay what is unmerchantable, to the great diſcouragement of all, as well Merchants as others, trading in and to this Iſland. Be it therefore ordained and enacted by the Governour and Councel, and with the conſent of the Gentlemen of the Aſſembly, that whenſoever, after Publication of this Act, any Cotten, Suger, Indico, or Tobacco ſhall be tendred to be paid, or delivered, and he to whom the ſame ſhould be paid, or delivered, doth diſlike the ſame as not Merchantable, that then the perſons hereafter in this Act nominated

for the ſeveral places of this Iſland reſpective-
ly, or ſome one of them being thereunto re-
quired, ſhall be Judge between the ſaid parties
whether the ſame be Merchantable or not, by
whoſe judgement the ſeveral parties concerned
in the ſame ſhall be concluded, and for his, or
their pains therein, he, or they that ſhall give
ſuch judgement, ſhall forthwith take two
pounds *per Cent.* and ſo proportionably to his
own uſe out of the Commodities ſo adjudged
the ſame to be born, and allowed by the payer
of the goods ſo brought to view ſhall be
judged not good, and by the receiver, if
judged good. And be it further ordained by
the Authority aforeſaid, that the ſeveral per-
ſons hereafter mentioned, ſhall for the reſpect-
ive places hereafter expreſſed, be hereby
Authorized, to give ſuch judgement as afore-
ſaid, *viz.* For *Auſtins Bay*, and the adjacent
Store-houſes, Windward, Capt. *Tobias Fryer*,
Lieutenant *Will. Pead*, Capt. *Samuel Newton*,
Capt. *Ino. Fryer*, Captain *Nath. Clark*, and
Mr. *John Arnot.*

For the Bridge, and other Store-houſes on
the Sea-ſide, within this Pariſh of St. *Michael*,
*Ino. Roberts, Will. Vaſſal, John Bayes, Edw. Col-
liſon*, Eſq; Mr. *Tobias Saunder*, and Mr. *Fran-
cis Clay.*

For

For the Hole, and other the Sea-side Store-houses in the Parish of St. *James*, Capt. *Anth. Penny*, Mr. *Nich. Wyeot*, Mr. *James Abbet*, Capt. *Barth. Allen*, and Mr. *Nicholas Dawson*.

For *Spikes Bay*, and places adjacent, Major *Richard Bayly*, Capt. *Tho. Meacock*, Mr. *Samuel Rolstone*, Mr. *Edm. Fearmine*, Mr. *Robert Benson*, and Ensign *Robert Dawsman*: Every of which persons before mentioned, for the better and more conscionable performance of their several duties herein, shall at the next Court, that shall be holden for the Precincts wherein he liveth, under penalty of forfeiture of one thousand pounds of Muscovado Sugar, tender himself to the Judge thereof in open Court, who is hereby Authorized and required, after publick reading this Act before the said party, to Administer the Oath ensuing: I *A. B.* do swear, that according to the best of my understanding and conscience, I shall from time to time give just Judgement between party and party, concerning the goodness of all the Commodities, wherein by virtue of this Act now read unto me, my Judgement shall be required, so help me God.

And it is further ordained by the Authority aforesaid, that when, and as often, from time to time, as any, or either of the persons afore-

ſaid, ſhall die, or depart this Iſland, or behave himſelf diſhonestly in the place aforeſaid, and be thereof convicted by two credible witneſſes before the Governour for the time being, that in every ſuch caſe the ſaid Governour for the time being, ſhall ſubſtitute and appoint ſome other able perſon, or perſons in his, or their room, who ſhall tender himſelf under the penalty aforeſaid, to take the Oath aforeſaid, in manner before expreſſed. And be it further ordained and enacted by the Authority aforeſaid, that from, and immediately after the Publication of this Act, all Acts, Ordinances, and Orders formerly made for the appraiſement of Sugar upon payment between party and party, ſhall be utterly void to all intents and purpoſes whatſoever.

This clauſe, the concluſion of this Act is repealed.

And laſtly, whereas the Merchants, and others trading in, and to this Iſland, and buying and ſelling within the ſame, have been much damnified and diſcouraged therein, by reaſon that after judgement had for Sugar, and other goods of this Iſland upon taking forth of execution, they have been inforced to take for ſatisfaction of Debts recovered, Lands, Servants, Negroes, Horſes, or Cattle, at the rate they were appraiſed, which oft times alſo was at a higher value than the ſame could be readily ſould for.

For

For remedy whereof, be it ordained and enacted by the Authority aforesaid, that when any judgement shall hereafter be given upon, or by reason of any Bargain, Contract, or cause of Action, or Actions happening, or arising after the Publication hereof, and Execution shall thereupon issue forth, the Marshall, his Deputy, or other Officers that shall serve the same, shall not be bound to take such goods as the Defendant shall shew, or tender him, but shall seize any merchantable Sugar, or any other the Goods, Stock, Servants, or Negroes that he can finde belonging to the Defendant, which shall be most vendible, and most easily converted into that kinde of goods that was recovered, or into other the Native goods of this Island, to the value thereof, and after such seizure, shall on the Sunday next ensuing make Publication in the Parish Church where such goods were attached, what he attached, and then also shall Publish a certain time in some day of the week following, to sell the same to such person, or persons that will give most in ready goods for the same, on such a day, or at any time within four dayes after, which sale shall make an absolute alteration of the property of the said goods sould to all intents and purposes whatsoever, with deducting the

Fees & charges shall forthwith be delivered to the party recovering, for and towards satisfaction of the said Judgement, and the over-plus if any be, to be restored to the Defendant: and if the said goods so taken in execution, shall not upon such sale yield sufficient to make satisfaction for the said execution, then further Attachment, or Attachments to be made of other the like goods, to be ordered & disposed of as aforesaid, untill full satisfaction shall be made for the said execution, and in such case where any are not sufficient, Goods, Servants, Negroes, Horses, or Cattle cannot be found, the Land of such Defendant shall be attached, and upon notice given, and day appointed, as aforesaid, the same shall be sold by Bill of Sale under the Marshals hand and Seal, in manner & form as is before appointed for goods, and such sale shall binde such Defendant and his Heirs, and all persons claiming from, by, or under him. Given under my hand, this 28th day of *June* 1652.

Signed, Daniel Searle.

An Act for setling a Court of Chancery.

Repealed. 64 WHereas the causes in Equity have of late so much increased, as that the Governour & Council, have not only been diverted

diverted from their more publick and necessary Councils concerning the peace and happiness of this place, but also been disabled to give that speedy dispatch to the several suitors before them, which they most earnestly both endeavoured and desired, and being willing to continue the observation and following the laudable customes and practises in the Common-wealth of *England*, which sets, and appoints persons of good sufficiency and ability to make it their particular imployment and business, to sit, hear, and determine the grievance & oppressions of the good people thereof. Be it therefore enacted and ordained by the Governour and Council, with the consent of the Gentlemen of the Assembly, That Colonel *Henry Hawly*, Colonel *Tho. Modiford*, or one of them, with the assistance and advice of Lieutenant Colonel *Humphry Hook*, Capt. *John Fenwick*, *William Kussal*, and *Edward Pix* Esq; being persons nominated and appointed by the Governour and Council, be, and are hereby Authorized to sit and hear, at such times, and in such places as by the said Colonel *Hawly*, or Colonel *Modiford* shall be appointed, all such equitable causes and matters, as from time to time shall be prosecuted before them, and to determine the same according to

the

the true rules of Equity, Justice and good conscience, and therein to use, follow, and observe such manner and forms of proceedings as are most consonant and agreeable to the course and forms of Proceis now practised and observed in the Chancery of the Common-wealth of *England*. And whereas many unnecessary Bills of complaints are made in the Chancery, to the great disturbance, vexation and charge of the good people of the Common-wealth, therefore for prevention whereof in this Island, Be it further enacted by the Authority and consent aforesaid, that no Bill or Petition of complaint be received into the Court of Equity by this Act established, except in case of apparent poverty, untill the Plaintiffe have put in sufficient security, in the sum of one thousand pounds of Sugar, to pay the Defendant costs and damnages for his wrongfull vexation, in case he make not good the matters of his Bill, and further to abide and perform the judgement of the Court concerning the same. And whereas nothing can be of worse consequence, or a greater prejudice to the Common-wealth, than the stopping of the course of proceeding at Common Law, many times upon feigned pretences and surmises in the Bills, or Petitions of complaint

For

For prevention whereof for the future, be it further enacted by the Authority and conſent aforeſaid, that no Injunction to ſtop proceedings at the Common Law ſhall be granted, untill the Plaintiffe in equity have put in good ſecurity, in double the ſum demanded againſt him, to pay what is ſo demanded, or recovered at Common Law, with good coſts and dammages for the wrongfull vexation, in caſe he make not good the equity of his Bill, and to ſtand to, abide, and perform the judgement of the Court concerning the ſame. And whereas many long Bills and Petitions, containing unneceſſary and ſuperfluous matters, are commonly exhibited in Courts of Equity, and may be here, if not prevented, Be it therefore enacted by the Authority & conſent aforeſaid, that no Counſellor, or Attorney, or other perſon whatſoever, preſume to inlarge any Bills, Petitions, or Anſwers, with the Copies of whole Deeds, Wills, or other Writings, where one, or more clauſes of the ſame will be ſufficient to ſet forth the matter pertinent to his purpoſe, or ſhall put in any other unneceſſary expreſſions, upon pain of paying ſuch fine as the ſaid Court ſhall adjudge the nature of his offence in that kinde may deſerve. Provided alwayes, that nothing in this Act

ſhall

shall extend to taking away, or abolishing of the usual appeals in the inferior Court of this Iland, to the Bench of the same Court in matter of forfeitures of Bonds and Morgages, or other the like causes, any thing in this Act to the contrary hereof in any wise notwithstanding. Given under my hand this 6 of August 1652. *Signed, Daniel Searle.*

An Act for the appointing, or regulating of the Fees of the several Officers, and Courts of this Iland.

65 WHereas it hath been taken into serious consideration, of the great burden the several Inhabitants of this Iland have sustained, and complained under, by reason of the extraordinary Fees paid by them to the several Officers, of the several and respective Courts within this Iland, no certain rule, or provision for the same having been made, or established, for remedy whereof for the future, and to the intent that all the said several Fees or demands of the said several Officers may be certainly made known, and all under exactions and demands by them be prevented; Be it enacted, ordained, and established by the Governour and Council, and with the consent of the

the Gentlemen of the Assembly, that no Officer, or Officers whatsoever belonging to this Island, and to the several Courts of the same, shall after Publication hereof, receive, or take any other Fee, or Fees, for any business hereafter nominated, than is for the same here under set and expressed, under penalty of making satisfaction to the party, or parties grieved, and incur the censure of the Governour and his Council: And it is hereby further ordained and enacted by the Authority and consent aforesaid, that this Act, with the several and respective Fees hereafter mentioned, be engrossed and fixed to a certain Table, or Board, and hanged up at the most publick place in the several Courts of Justice of this Island, to the intent that the several Inhabitants of the same may take notice thereof.

The *Secretaries* Fees.

	Pounds of Sugar
For Recording Deeds and Bills of Sale	20
For every Bond of an English *Ship*	5
For every Bond of a Stranger	10

For Recording Articles of agreement, and Covenants 10 l. *Sugar aside, with* 30 *lines on aside, and an inch left for the margent.*

For

Pounds of Sugar

For Record and Certificates of Land 10
For to search any a Record 10
For every Recognizance 5
For every Gazet 5
For every under writing 5
For every Ticket 5
For drawing a Deposition 10
For drawing a Bond Obligatory 5
For a Licence for Marriage 50
For Letters of Administration, Bond, Warrant appraisement and Inventory owely filed 20
For every Will Recorded 20
For the Copy of a Will 20
For Recording Depositions 10
For Copy of Inventory 20
For every Order of the Governour and Council 10
For every Letter of Attorney Record 10
For every Licence for keeping of a Country Store-house. 100
For every Surveyors Commission 100
For the Clerk of the Markets Commission 100
For a protest at the Bridge 50
For a License to draw drink 100

The

The Clerk of the Peaces Fees.

	Pounds of Sugar
For every Inditement	20
For every discharge of a Recognizance	20
For every Action and Trial at Sessions	100
For drawing every Recognizance	6
For every Bill of Inditement, if not found by the Grand Jury, to be paid by the Plaint.	
Every Inditement of people Executed to be paid for by the publick.	

Provoft Marshals Fees.

	Pounds of Sugar
For every Commitment of a Gentleman, or Master	20
For every Release	20
For diet, if he can agree, if not to find himself.	
For Commitment of an ordinary man	10
For his Release	10
For his diet 4 l. Sugar, for every 24 hours.	
If he find not himself, the Provision to be bonivis, potatoes, or bread, and enough water for every 24 hours, imprisonment nothing, because the Prison is to be paid by the publick.	
For a Warrant of Arrest at the Bridge.	20

For

Pounds of Sugar

For every mile from thence, beside the 20 l. *Sugar,* 5 l. *of Sugar each mile.*

For every Arrest aboard of a Ship 50 l. *Sugar, beside the charge of Boat hire, and the miles he shall go by Land, the Boat hire to be certain, or it* 20 l. *of Sugar.*

For every man bound to the Peace, good Behaviour, or Indited, and called at Session.

Every Warrant of Possession to be directed to the Provost Marshal, for serving of which he is to have 100 l. *Sugar, be the Land more or less.*

And because we conceive these Fees, though enough for the Countrey to pay, yet not sufficient to maintain a Provost Marshall, therefore we think fit that he receive 100 l. *Sugar from every house that shall receive Licence to sell drink.*

The Clark of the Private Courts Fees.

Pounds of Sugar

For every Judgement acknowledged for any sum 20

A Warrant for any to answer an Action 2

For a general Warrant, for more than two Persons 1

For

Pounds of Sugar

For every name, and the same for witness 1. l.
For entering an Action 3. l.
For an Order of the Bench 3. l.
For entering and withdrawing an Action 4. l.
For entering an Action, and non-suited 4. l.
For entering an Action, and drawing it for the Jury 6. l.
For an Attachment upon a recovery, or Order in Court 6. l.
For Warrant of appraisement 4. l.
For an Order for one to serve, according to the Statutes 4. l.
For Order upon Petition and appeals in equity to the Bench 2. l.
For a Replevin, and Bonds to make good damages 6. l.
For every Recognizance 4. l.
For a Writ of Possession on any Estates, or morgage 6. l.
For a Warrant for a run-away 4. l.
For a Warrant for Constables to search after stollen goods 4. l.
Warrant for witnesses as above, excepting business for the Common-wealth, to appear at Sessions 4. l.
Warrant of contempt 4. l.

Pounds of Sug

For Coppy of Accounts, Orders, Verdicts, and ke in files in Court close written, four P. aside and proportionable 4.l.

For a Mittimus for a man committed to Priſon except to any for the Common-wealth 4.l.

For a Bond, and taking ſecurity for a perſon a reſted, or now reſident 6.l.

Marſhals fees of the Private Court.

Pounds of Sug

For a Warrant ſued by them 4.l.

For Warrants of Arreſt, or contempt 30.l.

For ever Action tried by a Jury, ſerving of th in, and finding them diet and convenient a commodation 40.l.

For ſerving Execution to 1000. *l. four p* Cent. *for the firſt, and two* per Cent. *f the next,* 1000. l. *and one* per Cent. *for a ſumme of above* 2000. l. *and* 20. l. *for ſe ving an Execution, to be paid in the ſam ſpecie.*

For commitments in Court 30.l.

Th

The Fees of the Court of Chancery for the Plantation.

Pounds of Sugar

To the Atturny for drawing the Bill interrogatours, and pleading, and delivering the Defendant a Copy thereof 50. l.

To the Clark for filling the Bill, and for an Injunction, and taking the Bond. 50. l.

For every Subpœna ten pounds of Suger, or two shill. and six pence in money, and not above three names in a Subpœna. 10. l.

The Fees of the Defendant in Chancery.

Pounds of Sugar

To the Attorny for drawing the answer Inrogatours, and pleading, and delivering a Copy for the Plantiffe 50. l.

To the Clark for receiving the answer, and filling it 50. l.

If the Plaintiffe and Defendant agree to go to hearing upon Bill, and answer there is no other charge, but 4.3.2. per Cent. to the Marshals for executing the decrees, as by Common Law allowed for serving Execution,

and to be paid by the party overthrown with coſt.

If the anſwer be not full and ſo judged, upon reference then the Defendants Attorny ſhall upon ſeven dayes warning from the Plaintiffs Attorny procure a full anſwer, and the Defendant ſhall pay to the Plaintiffe 50. l. of Sugar for coſt, and for the ſecond default 100. l. of Sugar, and that to be doubled untill the 4th. and then to be committed, but if the Defendants anſwer be complained of and upon reference found good, then the Plaintiffe to pay the Defendant 50. l. of Sugar for his unneceſſary trouble,

If the anſwer be full, and the Plaintiffe reſolve to go to proof, then a Subpœna of courſe ſhall be granted to warn the Defendant in ſeven dayes to appear by himſelf, or Attorny, to ſue in Commiſſion for examination of witneſſes, which if he ſhall fail to do, then the Plaintiffe to have Commiſſion to examin, ex parte, and a Subpœna to warn his Witneſſes: but if the Defendant ſhall appear and deſire it, they ſhall both have Commſſion for witneſſes: Witneſſes by both Plaintiffe and Defendant are to be brought to the Examiner in 14 dayes.

The Examiners Fees payable by Plaintiffe and Defen-

Defendant is 10. l. *of Sugar per head, for every witneſſe he ſhall examine, and* 4. l. *of Sugar per head for the Copies of the examinations after publication.*

The Marſhals Fees is 6 l. *of Sugar for every mile he ſhall Travel to fetch in any that are in contempt, and* 20. l. *Sugar per day, for every day they ſhall remain in his hands, beſides diet, and for every commitment in Court* 20. l. *of Sugar, and for a releaſe* 20. l. *of Sugar, and* 20. l. *per day, beſides diet, and for ſerving decrees, as aforeſaid, the Marſhal finding a Cryer for the Court.*

For the Copy of Orders and Decrees, 4. l. *per ſheet to the Clark.*

Given under my hand this 17. of *September*, 1652.

Signed Daniel Searle.

An Act for the continuance of the Peace of this Iſland.

67 WHereas Colonel *Humphrey Walrond*, Mr. *Edward Walrond*, Colonel *Henry Shelley*, Major *William Byam*, Lieut. Colonel *Henry Guy*, Colonel *Thomas Ellis*, Captain *William Farman*, Captain *Henry Boucher*, and

Captain *George Usher*, by an Act bearing date the fourth day of *March* last past, made for the preservation of the Peace of this Island, were sent off the same, and not to return in one whole years time after the date thereof, without Licence from the Parliament. It is therefore hereby further Enacted, and Ordained by the Governour and Council, with the consent of the Gentlemen of the Assembly, for the better continuance of the Peace, and safety of this Island, that the said Persons; nor any, nor either of them shall at any time after the said expiration of the said one whole years time in the said forementioned Act limited, return, or come into this Island, without Licence from the Parliament of *England*, or the Council of State by their Authority established, under penalty of being taken and deemed as enemies and disturbers of the Peace of the same, and being proceeded against accordingly, any thing in the said Act mentioned to the contrary in any wise notwithstanding. Given under my hand the 17 of *September*, 1652.

Signed, Daniel Searle.

An

An Act for mending of the High-wayes, with an addition to the same.

68 UPon complaint that the High-wayes of this Island are very bad, and impassible to the great hinderance of Trade, for remedy whereof, Be it Enacted and Ordained by the Governour and Council, with the consent of the Gentlemen of the Assembly, that Lieutenant Colonel *Robert Hooper*, Lieutenant Colonel *Rous*, Serjeant Major *John Johnson*, and Captain *Tobias Frere*, or any two of them Burgesses of the Parish of *Philips* and *Christ* Church, are hereby Authorized and appointed to be a Committee for the wayes within those Parishes, and Captain *George Martin*, Mr. *Henry Sweet*, Mr. *Francis Rain*, Capt. *James Holdip*, Serjant Major *David Fitz*, and Mr. *William Vassel*, or any three of them Burgesses of the Parishes of *Johns*, *Georges*, & *Michaels*, are Authorized and appointed to be a Committee for the wayes within those Parishes, and Colonel *Lewes Morris*, and Lieut. Colonel *George Stanfast*, Burgesses of the Parish of *James*, are Authorized and appointed to be a Committee for the wayes within that Parish, and Captain

Simon Lambart, and Mr. *Joseph Pickering*, Burgesses of the Parish of *Lucies*, are Authorized and appointed to be a Committee for the wayes within that Parish, and Captain *John Turner*, and Lieut. Colonel *Benj. Berrington*, Burgesses of the Parish of *Andrews*, are Authorized and appointed to be a Committee for the wayes within that Parish: All which Persons have hereby power, and are hereby required forthwith to take the care and charge of the respective wayes upon them, that they may be made firm and good for the Inhabitants of this Island, to pass too and fro on foot, and with their Cattle, Horse, and other beast about their occasions, and that the same may be equally and firmly done, they have hereby full power to alter and change any way for the good of the Countrey, and lay the way where it was not before, and make null, or annihilate such wayes as are not usefull, using their wisdoms, and best skill to the good of the Countrey, and least damages of those through whose Lands they shall be laid, and so near, as conveniently may be, to lay the wayes beeween man and man, their Lands in their Lines equally in each mans Lands; and also to require any sworn Surveyor in this Island to

give-

give their attendance and lay out such wayes at all times, and in such places, when and where they shall be thereunto by Authority of the said Commissioners required: And also to nominate and appoint Surveyors in every Parish to take the oversight of the work, and to see that every one shall be appointed to do, or pay, and to give account of their doings therein to the Commissioners when they shall be thereunto required, and that the said Commissioners have power to appoint and require the Inhabitants of every Parish within their several limit; not only to fall their woods and clear the wayes from wood, stumps, grass and weeds in their own ground, and so to keep them; but also to require every Inhabitant and Owner of Lands or Houses, and Sojourners within their Parishes to do such labour, and pay such taxes as shall be needful from time to time, so as the same be equally laid, so as one be not eased and others burthened.

And in case any man, whom they shall reasonably require to perform any thing, or to pay any taxes towards the laying out, mending or repairing of the said wayes, as aforesaid, shall refuse to obey the same, or conforme themselves thereunto, they shall forfeit fifty pounds

pounds of Sugar *per diem* for every day they ſhall ſtand out from performing the ſame, the ſame to be levied by Warrant of the ſaid reſpective Committees, and applied towards the mending of the ſaid wayes.

And it is further Enacted, by the Authority and Conſent aforeſaid, that in regard the Bridge-Town receiveth a great benefit by the trading thither, that the Inhabitants of the ſaid Town, Owners of Lands or Houſes, or ſuch as rent Dwelling-houſes or Store-houſes for one whole year or more, Store-houſe-keepers, and the like ſhall be by the Committee appointed for *Michaels* Pariſh, *&c.* aſſeſſed to make a ſufficient Gravel-way home to the Gully where the Stone-bridge now ſtands, and build a ſubſtantial Bridge upon it, and keep the ſame Bridge and Way in good repair, and that the Committee ſee the ſame put in ſpeedy execution. Given under my hand this 17. of *September* 1652.

Signed, Daniel Searle.

An

An Act against drawing of any company, or parties into the Field in Arms without order.

69 WHereas it hath been taken into serious consideration of what dangerous consequence it may be against the peace, and quiet of this Island, that any person, or persons should draw into the Field any Company, or parties into Arms without any Order or Warrant for the same from the Governour, for the preventing whereof, and the avoiding all mischiefs and troubles which in such cases may arise to this place: It is hereby ordained and enacted by the Governour and Council, and with the consent of the Gentlemen of the Assembly, and by the Authority of the same, that whatsoever Officer, or other person, or persons shall after publication hereof draw, or command in the Field any Company, or Companies, or other party, or parties in Arms without Lawfull Order, or Warrant for the same from the Governour, except for exercising, or aiding, or assisting publick Magistrates in the execution of Justice, upon conviction thereof by legal Trial, either by his, or their own confes-

feſſion, or the Oaths of two other ſufficient Witneſſes, ſhall ſuffer pains of death as in cafe of Felony, any uſuage, Cuſtom, Law, or anything heretofore in any wiſe to the contrary notwithſtanding. Given under my hand the 7. of *October* 1652.

Signed, Daniel Searle.

An Act for the ſuppreſſing of Libels, and ſeditions, and ſcandalous reports.

70 WHereas many looſe and Malignant Perſons, in and about this Iſland have taken too great liberty in inventing and uttering very ſeditious and reviling ſpeeches and in promoting and drinking of healths and diſperſing ſcandalous Libels and other writings, tending much to the diſturbance of the publick Peace, and againſt the power and Authority of the Parliament, and their Authority here eſtabliſhed, for ſuppreſſing whereof, and the due puniſhing of all ſuch perſons as ſhall hereafter any wayes be guilty of the ſame, and for the better quiet and peace of this Iſland: It is hereby ordained and enacted by the Governour and Council, with the conſent of the Gentlemen of the Aſſembly, and by Authority

thority of the ſame; That all ſuch perſon, or perſons whatſoever, as ſhall after publication hereof any way frame, utter, invent, promote, divulge, or diſpoſe any ſeditious reviling and ſcandalous ſpeeches, or ſhall drink, publiſh, or promote any healths, either by words, writeings, or otherwayes, which may any way tend to a diviſion, or diſturbance of the publick peace, or ſhall frame, promote, divulge, or diſperſe any ſeditious, or ſcandalous Libels, or Writings any way tending to the derogation, or ſcandal of the power and Authority of the Parliament of the Commonwealth of *England*, or their power and Authority in this Iſland ſetled and eſtabliſhed, or againſt the Government and Laws of the ſame: All ſuch perſons with their Aſſiſtants, Comforters, Countenancers, and Abetters ſhall be looked upon, and proceeded againſt as Enemies to the publick peace, and ſhall ſuffer ſuch puniſhment as the Governour and Councill ſhall judge the nature of their offences ſhall deſerve. Given under my hand this 7. of *October* 1652.

Signed, Daniel Searle.

An

An Act concerning Executions and proceedings at Common-Law.

71 WHereas it hath been thought fit by the Governour and Council, with the consent of the Gentlemen of the Assembly, that an Act should be made and published for the executing of a Court of Chancery within this Island of *Barbado's*, which accordingly is effected, as by an Act bearing date the 6. of *August* 1652. entituled an Act for the setling a Court of Chancery more plainly appeareth: And whereas it hath heretofore been used to grant Injunctions for the stopping of further proceedings at Common-Law, after Execution hath been issued forth to the wrong and prejudice of several the Inhabitants of this Island, which nevertheless is not prevented by the said Act for remedy whereof in the future, It is hereby enacted, published and declared by the Governour and Council, with the consent of the Gentlemen of the Assembly, that no Injunctions to stop proceedings at Common Law shall hereafter be granted, unless it be procured before the Judge at Common-Law hath issued forth execution, but nevertheless that

that no man may want relief in equity, that in conſcience ought to have it: Be it likewiſe further enacted and ordained by the Authority and conſent aforeſaid, that no Judge at the Common-Law ſhall after publication hereof iſſue forth execution, till full fourteen dayes be expired, after the Juries Verdict, any Cuſtom, or uſage heretofore to the contrary notwithſtanding. Given under my hand this 7. of *October* 1652.

Signed Daniel Searle.

By the Governour and Council, and Gentlemen of the Aſſembly.

72 WHereas it hath been taken into conſideration, the great trouble that doth oftentimes ariſe between the Maſters and Servants within this Iſland, in, and concerning the time and term of yeais the ſaid Servants were bound for, and the many prejudices that would therein ariſe; unleſs ſome way of relief as well to the ſaid Servants as their Maſters be appointed (the way and manner of proceedings at Law, being altogether unknown to the moſt part of them, beſides the time of delay and trouble in Trials:) For the more ſpeedy admi-

administration of Justice there, or in the premisses and ease, both to Masters and Servants in all such cases, where differences in point of time arise between them: It is ordained and enacted by the Governour and Council, with the consent of the Gentlemen of the Assembly, that any two Justices of the Peace within this Island, within the Precincts where the Servants live, that shall complain of differences in point of time of servitude with their Masters: Have hereby power to send for both parties and all witnesses therein concerned, and them hear & examine upon Oath, and on such examination and hearing to determine and conclude as to Justice and right shall appertain: And whereas the Nation of *Scotland* (*viz.*) the several Shires and Burroghs thereof hereafter mentioned, that is to say

The shire of *Barwick.*
The shire of *Hadington.*
The shire of *Roxborough.*
The shire of *Liptlithgrow.*
The shire of *Dumfreeze.*
The shire of *Wyton.*
The shire of *Forfar.*
The shire of *Aburdeen.*
The shire of *Bamf.*

The

The shire of *Bute.*
The shire of *Lanerk.*
The shire of *Renfrew.*
The shire of *Nearne.*
The shire of *Starling.*
The shire of *Clackmannon.*
The shire of *Edinburgh.*
The shire of *Fife.*
The shire of *Peebles.*
The shire of *Selkirk.*
The shire of *Orkney.*
The shire of *Lesland.*
The shire of *Pearth.*
The shire of *Ross.*
The shire of *Murrey.*
The shire of *Innernesse.*
The shire of *Elgin.*
The shire of *Cathnesse.*

The borough of *Edinburgh.*
The borough of *Aberdeen.*
The borough of St. *Andrews.*
The borough of *Pearth.*
The borough of *Reassea.*
The borough of *Dundee.*
The borough of *Aberbothick.*
The borough of *Dunfermling.*
The borough of *Haddington.*
The borough of *Dunbar.*
The borough of *Northberwick.*
The borough of *Linlithgow.*
The borough of *Queens Ferry.*
The borough of *Sterling.*

The borough of *Ar-land.*
The borough of *Wy-ton.*
The borough of *Ferfar.*
The borough of *Montroſs.*
The borough of *Bamf.*
The borough of *Arbehim.*
The borough of *Brunt Iſland.*
The borough of *Craile.*
The borough of *Idborough.*
The borough of *Dunbarton.*
The borough of *Callen.*
The borough of *Amſterweſt.*
The borough of *Pittireen.*
The borough of *Elgin.*

The borough of *Co-ſen.*
The borough of *Kin-horn.*
The borough of *Aberkething.*
The borough of *Coolermeſſes.*
The borough of *Ken-kenny.*
The borough of *Aber-ſterlaſ.*
The borough of *Kir-kriſt.*
The borough of *Dun-rit.*
The borough of *Glaſ-cow.*
The borough of *Ker-nerneſs.*
The borough of *Kir-kaldy.*
The borough of *Tor-*
The borough of *Dun-ferling.*
The borough of *Pebles.*

Have-

Have assented to the Union with the Common-wealth of *England* in these words following (*viz.*) We Under-writers of the Stewartry of --- do hereby testifie and declare our voluntary acceptance of the Parliaments tender in their Declaration, that *Scotland* be incorporated into, and made one Common-wealth with *England*, that thereby the same Government that is established in *England*, without a King, or House of Lords under the free State and Common-wealth of *England* may be derived to the people of *Scotland*. And we declare that we will in the mean time live peaceably under, and yield obedience unto the Authority of the Parliament of the Common-wealth of *England* exercised in *Scotland*.

And we do heartily beg the Lord to direct our hearts in the prosecution of this great work, as may most advance his glory in the establishment of Religion, setling of the Nations in a fair and happy Union, and the freedom and tranquility of all his people within that bond. It is therefore hereby further enacted and ordained by the Authority and consent aforesaid, that the late Prisoners of War and all others of the *Scottish* Nation, lately ar-

rived to this Iſland may enjoy the ſame benefit, Liberty, and Privilege of this Act, and all others of this Iſland equal with any, the Servants of the *Engliſh*, any thing heretofore to the contrary notwithſtanding. Given under my hand this 3. of *December* 1652.

Signed, Daniel Searle.

An Act for the ſelling the Trained bands within this Iſland.

73 WHereas nothing more aſſures the peace of any place than orderly and ſtrong proviſion made & preparations for war, a conſtant and due exerciſing of the Souldiery whereby they become bold and skilfull in the uſe of their Arms, and rather deſpiſe than fear an enemy: and for that there are yet ſo many defects in Arms and Ammunition, and ſuch careleſſe and negligent appearances upon the Exerciſing-dayes, by many the Inhabitants hereof; that unleſs ſome courſe be taken for remedy thereof, it may juſtly be feared, that many will appear very unuſeful in time of need: Be it therefore ordained, eſtabliſhed, and enacted by the Governour and Council, and with

with the consent of the Gentlemen of the Assembly, that every Free-holder within this Island shall, for every twenty Acres he is possessed of, finde one sufficient able man to bear Arms for the Service and Defence of this Island, and shall provide for every such man one well fixed Musket, five pounds of Powder, ten pounds of Bullet, three pounds of Match, (but if the Arms be a Snaphance Musket, then Match is to be excused in that case) one Sword, one Cedar Cartrage conteining twelve holes, or charges, or bandileers; and to the intent, that the well-affected and willing Inhabitants of this Island may no longer be discouraged, by the hitherto unpunished neglects of the stubborn and careless people in providing for their just defence: Be it further ordained, established, and enacted by the Authority and Consent aforesaid, that every Master of a Family that shall be defective in the proportions above mentioned, shall forfeit in manner and form following, (viz.) for every man of his proportion that shall not appear in the Field at the exercising day fifty pounds of Sugar, for every pound of Powder that he shall want of his proportion ten pounds of Sugar, for every pound of Bullet five pounds of Sugar, for every

ry pound of Match five pounds of Sugar, for every Sword he shall want twenty pounds of Sugar, and for every Cartrage, or Bandeer five pounds of Sugar, the one moyety thereof to be paid into the publick Treasurer for the use of the Countrey, and the other moyety to the use and to defray the publick charge of the Regiment, out of which the Marshals Fees to be deducted: and to the intents these penalties may not, as hitherto they have been, be but vain, and illusions rather made for form than realy to be inflicted, whereby the most stubborn and careless people have been rather confirmed in their negligence than reduced to obedience. Be it further enacted by the Authority and consent aforesaid, that to every Regiment within this Island be by the Governour Commission appointed a Marshall, who by himself, or sufficient Deputy is Authorized by Warrant of attachment under the hand of the Colonel, or Field-Officer to seize on the goods or stock of such Persons for the levying and raising such penalties before expressed, as shall for their several defects be adjudged to be inflicted on them, and the goods so attached (by two of the Trustees of the Parish first sworn before the next Justice of the Peace, who is

here-

hereby Authorized [illegible] after the same) to appraise and value [illegible], and the same so appraised to sell, returning the over-plus, if any be to the Owner thereof, & the same sale shall be as valid to all intents and purposes as in case of attachments for Debts out of any Court within this Island, and for the encouragement of the said Servants faithfully to engage against such Enemies as shall invade this place, or disturb the peace thereof. Be it further ordained & enacted by the authority aforesaid, that every Servant that shall manfully and like a true Souldier fight, and engage with an Enemy that shall land upon this Island, or disturb the peace & quiet thereof, now established under the Authority of the Parliament of the Commonwealth of *England*, shall for such his service have half his time remitted unto him, and shall receive such other publick rewards as the eminence of his service may, or shall deserve, and his Master shall be satisfied for such his remitmẽt of his said servants time out of the publick Treasury of this Island, and that no man be exempted from duty, but as many hands as may be brought to the publick defence. Be it therefore ordained, established, and enacted by the Authority and consent aforesaid, that all and

every the Free [illegible] this Island, Houſe-hol-
ders, Labourers, and Artificers that are not poſ-
ſeſſed in their own proper right of twenty Acres
of Land, ſhall provide themſelves a Muſket,
Cartridge, or Bandliers, Sword, Match, Pow-
der, and Bullet, as every Free-holder of the
twenty Acres, and under the penalties afore-
ſaid; and liſt themſelves under the Title of
Free-men, and ſerve under the Colonel of the
Regiment in ſome Company of the ſaid Regi-
ment where they live, labour, or work at the
publication of this Act, & at what time ſoever
they ſhall deſire to depart into any other Regi-
ment, they ſhall firſt repair to the Colonel of
the Regiment, into whoſe Precincts they de-
ſire to go to work and abide, and therefore
obtain a Certificate from the Colonel unto
the Colonel from whom they deſire to de-
part, upon which Certificate the firſt Colonel
ſhall give them a farlow to the next where
they deſire to be new liſted as aforeſaid, who
ſhall thereupon liſt them, and receive them in-
to his command: And whatſoever Houſhold-
er, Labourer, or Artificer Freemen, ſhall do
contrary to this Act, or neglect his duty in
this Act required, ſhall by the Colonel, or field-
Officer of the Regiment, where he then is, or

ſhall

shall be found, be examined by him to the Marshall of the Regiment, who shall safely convey him to the publick Treasurer at the Bridge, or such other person as shall be by the Governour or his Successor appointed, to work one whole moneth upon the Forts about this Island before he shall be released. And be it further ordained and enacted by the Authority and consent aforesaid, that whatsoever Freeman, serving before as is enjoyned and commanded, and shall be maimed in his body, or loose any of his Limbs in the service of this Island, shall for ever after receive one thousand pounds of Sugar *per annum* for his maintenance: And if he have Wife, or Children, they shall be well and orderly kept at the cost, and by the charge of the Parish belonging to the Regiment wherein he lived, any Act, Statute, or Ordinance to the contrary notwithstanding. Given under my hand this 21. of *December* 1652. *Signed, Daniel Searle.*

An Act for setling the Regiment of Horse within this Island.

74 WHereas by the blessing of God on the labours of the Inhabitants of this

this Island, the same in many places is become open and champion ground, so that in time of forraign invasion, or intestine broils, Horse Forces may be of great use and concernment. And whereas the same hath not been so equably assessed, nor so orderly regulated as they should, Be it therefore ordained, established, and enacted by the Governour and Council with the consent of the Gentlemen of the Assembly, that every person within this Island shall in the defence of the same, for every hundred Acres he is possessed of, provide one able man and horse, with a good service Sadle, with Crupper and Breast plate, and a good Bit, one Case of well fixed Pistols, one pound of Pistol Powder, one pound of Pistol shot, one Flask and a good Sword, and being thus provided shall cause the said Horse-men to appear before his Officer, as often as he shall be thereunto lawfully required. And be it further enacted by the Authority, and consent aforesaid, that every Free-man within this Island, although he be not possessed of one hundred Acres of Land, yet if he have an Horse, shall be in like manner provided, with Furniture, Arms, and Ammunition, and for the service aforesaid, attend his Officers at the exercising

dayes

dayes at the place appointed, and shall therefore be excused of serving on Foot in his own person, and also of one foot Souldier (if any be by the late Act in that case made) assessed on him.

And to the intent that the well-affected persons, willing and forward to defend their lives, and fortunes by their readiness herein, may not be discouraged by the unpunished slackness of others; Be it further ordained and enacted by the Authority, and consent aforesaid, that every person that shall fail of furnishing himself with Horse, Arms, and Ammunition as is before required in this Act, and of presenting himself and other Riders, according to the proportion in the Act abovementioned, at the place appointed in the exercising dayes in manner as aforesaid, shall forfeit as followeth, *viz.* for every man and Horse that shall be wanting shall forfeit one hundred pounds of Sugar, the want of every pound of Powder and Bullet ten pounds, the want of every Sword forty pounds of Sugar, the want of a Flask ten pounds of Sugar, the said fines and penalties to be levied by the Marshall of the Regiment by Warrant of Attachment, under the hand of the Colonel of Horse, or some other his field-

field-Officers, and the goods so attached to be appraised by two sworn Appraisors and sold in such manner, and as effectual, as if the same were by Warrant of Attachment out of any Court of Common-Pleas within this Island, the one half of the said penalties to be paid into the publick Treasury, or such other person as the Governour and his Successor shall appoint for encrease of the publick Magazeen, and the other half to the use of, and for the defraying of the publick charges of the Regiment, and if upon the said sale there shall be any over-plus, the same to be returned to the party who was Owner of the goods so attached: And to the intent that the Inhabitants of this Island may in this particular be eased, as much as may stand with the performance of the service aforesaid. Be it further ordained and enacted by the Authority & consent aforesaid, that no person whatsoever, upon whose Horse, or Horses are assessed by vertue of this Act, shall at any time be commanded, or compelled to rendevouze, or exercise at any place out of the division wherein he lives, unless the same be signified unto the Colonel of Horse by Special Warrant under the hand of the Governour, and not otherwise, and to the intent there may

may be no fail of Justice, as well in punishing refractory Troopers, either in the Marches, or the Quarters, as also to levy the penalties in this Act mentioned. Be it further enacted and ordained by the Authority and consent aforesaid, that a Marshal by the Commission of the Governour be appointed to the said Regiment of Horse, who is to attend the service thereof, and to follow, and obey such lawfull Orders as from time to time he shall receive from his Colonel, or the respective field-Officers of the said Regiment. Given under my hand this 11. of *December* 165[illegible].

Signed, Daniel Searle.

An Act for Weights, Measures, and Numbers.

WHereas the Inhabitants of this Island have been much abused by false Weights, Measures, and Numbers, contrary to their Liberty, and the laudable Customes of the Common wealth of *England*, for prevention whereof for the future. Be it ordained and enacted by the Governour and Council, and with the consent of the Gentlemen of the Assembly, that all Traders

to

to this Island, Store-house-keepers and others, do hereby take notice that six moneths after the publication hereof, all their Commodities and Merchandises shall be sold according to the Weights, Measures, and Gages of Cask used, and accustomed in the Common-wealth of *England*, and by no greater nor less, and what is bought there at one hundred & twenty to the hundred, shall so be sold here, & whosoever shall directly, or indirectly barter, vend or put off any Commodities by any other Weights, Measures, or Gages, or Numbers shall forfeit double the value of the said commodities so put off, and the Contracts made thereon, shall be void in Law, and irrecoverable in any Court within this Island, the said forfeiture to be recovered in any Court of Record by action of Debt, the half to the publique use, the other half to the Informer. And for the better observation hereof, a Table of the true, and exact Weights, Measures, and Numbers used in the Common-wealth of *England*, shall be hanged up in the Secretaries Office, where all whom it may concern may repair, and have a view of the same. Given under my hand this 21. of *December* 1652.

Signed, Daniel Searle.

An

An Act to prevent the deceit of Dr. that go off the Island, without leaving Attorneys.

76 WHereas divers ill minded persons having Estates in this Island, and intending to deceive their Creditors of their just Debts, go off this Island and leave their Estates in trust, or in such manner contrive their affairs, that their Creditors cannot tell whom to sue (no Attorneys appearing for them) for prevention whereof, Be it ordained and enacted by the Governour and Council, and with the consent of the Gentlemen of the Assembly, that in all such cases the Creditors, or their Agents, or Attorneys shall upon complaint hereof made to the Judge of the Precincts, where the Estates of such person lieth, according to the Customes of *London* in forreign attachments, have an attachment under the hand of the said Judge, directed to his Marshal to attach any the Estates, Goods, Stock, or Plantation, or Credites of the said party, in whosoever hands the same be, together with a Summon to the present possessor thereof to appear, at the next Court to answer his

his action: And if the ſaid Debt be legally proved, and that the ſaid Eſtate, Goods, Stock, Plantation, or Credits do really belong to the ſaid party ſo gone off, then the ſaid Creditor ſhall have judgement to recover the ſame for the ſatisfaction of the ſaid Debt, he giving in good ſecurity to return the ſame, if within eighteen moneths the ſaid Debt ſo demanded be diſproved, or that ſatisfaction was formerly given for the ſame, with damages for the ſame. And it is further ordained by the Authority and conſent aforeſaid, that in caſe any Factor, Agent, or Attorny do upon ſuch recovery put in ſuch ſecurity as aforeſaid, in the behalf of the principals, in ſuch caſe it ſhall, and may be lawfull for them to retain the things ſo recovered in their hands, untill the eighteen moneths be out, and not diſpoſe thereof for their principals, unleſs and untill the ſaid principals have given them Counter-ſecurity to ſave them harmleſs concerning the ſame. And it is hereby further enacted and ordained by the Authority and conſent aforeſaid, that no perſon legally gone off this Iſland, ſhall be liable to any Sutes of Debts untill his return, unleſs it ſhall appear to be under his hand, any thing in this Act to the contrary not-

notwithstanding. Given under my hand this 21. of *December* 1672.

Signed Daniel Searle.

An Act for the appointing and regulating a convenient Salary for the Maintenance of the Ministers of this Island.

WHereas several Ministers of this Island have been much prejudiced in regard their respective Salaries have not been so duely paid as they ought to be, and that the rate of Tobacco is much lesse now than when the institution of their Salaries was enacted, whereby the Ministers have not had such encouragement as is fit and convenient for the execution of their Pastoral charges and attendance on the Administrations of Gods service. Be it therefore enacted and ordained by the Governour and Council, with the consent of the Gentlemen of the Assembly, and by Authority of the same, That the several Ministers within this Island from and after the five and twentieth day of *March* next ensuing the publication hereof, shall have and receive for their several and respective Salaries, one pound of

Sugar *per* Acre, or the value thereof in other goods for every Acre of Land within their respective Parishes, the same to be paid at, or before the first day of *May* next ensuing, by the said Parishioners at some convenient Store-house, of which notice is to be given at least one moneth before the first day of *May*. And in case any of the said Parishioners shall fail of making payment as aforesaid, that then the Clark of the said Parish, or some other, whom the Parson in his default shall appoint, shall have hereby power to distrain for the same, which Clark shall be paid and maintained by the Parish, out of the leavy of the Free-men and Store-houses. Given under my hand the 21. of *December* 1643.

Signed, Daniel Searle.

An Act to prevent the prejudice may happen to this Island, by loose and Vagrant persons in and about the same.

78 WHereas it hath been taken into great consideration, the great number of loose, idle, and Vagrant persons, in & about this Island, who are of no certain employment, and have no constant residence, or place of aboade,

aboade, whereby they become ready to make use of all advantages, and upon all occasion to act to the prejudice of this place, and the disturbance of the peace and quiet of the same, It is therefore hereby enacted and ordained by the Governour and Council, with the consent of the Gentlemen of the Assembly, that the several Justices of the Peace within their several, and respective Precincts within this Island where they live, have hereby power to take notice of all such persons, who have no constant place of aboade, and are of no settled imployment and callings, and the names of all such person, or persons forthwith to enlist and send the same unto the Governour, to the intent such consideration may be had therein, that all such persons may be imployed in some necessary work to the defence of this Island, and the peace and tranquility thereof from time to time preserved. Given under my hand this 21. of *December* 1652.

signed, Daniel Searle.

By the Governour, Council, and Assembly, the 21. of December 1652.

79 IT is hereby enacted, published, and declared, that all Acts and Statutes of this

Iſland that were not made, and agreed upon by the Governour, Council, and Aſſembly, the ſeventeenth of *September* laſt paſt (which have been, and yet are to be publiſhed) or at any time ſince, are, and be from henceforth void, fruſtrate and of none effect: This ſaid repeal to have full power and force, from the 17. day of *September* laſt, which ſaid day, it was agreed and enacted, what Acts ſhould be of force within this Iſland, and that the former Act appointing ſecurity to be given by ſuch as ſhould build, or keep any Boats within this Iſland, is included within this repeal to all intents and purpoſes, as if the ſame had never been made. Given under my hand this 21. of *December* 1652.

Signed Daniel Stayle.

An Act to prevent the frequenting of Tavern and Ale-houſes by Sea-men.

WHereas it hath been taken into conſideration, the great frequenting of Taverns and Ale-houſes by the ſeveral Sea-men arriving to this Iſland, and the great neglects by them committed in the ſervice of their reſpective Maſters and Employers, where-

whereby the affairs of the ſeveral ſhips are much hindered and prejudiced, and great damage ſuſtained, beſides the unneceſſary expences of ſeveral the ſaid Sea-men in many the ſaid Taverns and Ale-houſes, by reaſon of the readineſs of many looſe people to truſt them, which oftentimes the ſaid Maſters are forced to pay, or ſatisfie, or elſe their ſhips cannot ſayl, and their Voyages hindred and loſt, for prevention whereof for the future: It is hereby ordained and enacted by the Governour, Council, and Gentlemen of the Aſſembly, that whatſoever Sea-man ſhall be found on ſhore after eight of the Clock at night, and ſhall not ſhew a Certificate for his being on ſhore from the Maſter, or Owner whom he ſerves, or cannot give a good account thereof, ſhall be apprehended by the next Conſtable, or Officer, and conveyed to the common Goal, or ſet in the Stocks, at the diſcretion of the ſaid Officer, and the next morning be brought to the next Juſtice of the Peace, who (according as in his diſcretion he ſhall ſee good) ſhall releaſe him paying of his Fees, and what Maſter of a Family within this Iſland that ſhall be found to receive, or entertain ſuch Sea-men into their Houſes after the time afore-ſaid, being

not licensed thereto as aforesaid, shall forthwith on such default, forfeit, and pay into the publick Treasurer, to the publick use of this Island, fifty pounds of Sugar, the same to be levied by Warrant to the Constable from the said Justice of Peace directed. And it is hereby further enacted and ordained by the Authority aforesaid, that no Master or Commander of any ship, or ships shall be liable to pay any the scores, or debts made by their respective Sea-men in any Taverns, or Ale-houses in this Island: but that all persons so trusting any such Sea-man for drink, or Wines at any time (they having not engagement for the same from their Masters) shall be incapable of recovering the sum in any Court of Record within this Island. Given under my hand the 10. of *January* 1652.

Signed, Daniel Searle

By the Governour, Council, and Assembly the 10. *of* January 1652.

WHereas there was an Act made the 17 of *September* last past, and therein (amongst other things) any two Justices of the Peace, or more Authorized & appointed to hear,

hear, and determine all differences, which should arise between any Master and Servants, in, and concerning the time of their servitude, and the terms of years they were to serve, and that upon further consideration: It is found that many inconveniences and prejudices may thereby arise, both to Master and Servants, for the prevention whereof, and the due administration of Justice therein for the future, It is hereby enacted and ordained by the Governour, Council, and Assembly, and by the Authority of the same, that the said clause concerning the hearing and determining of any differences between Masters and Servants, in point of their times of servitude in the said Act mentioned, be, and is from henceforth void, frustrate, and null to all intents and purposes. And all the said differences, which shall thereupon arise between any Master and Servants be heard, and determined at the Common-Law in the Court of the Precincts where such Master and Servant shall there live, as in other Cases of Right between party and party, and that all Servants, who have any ground, or occasion to commence sute therein, be allowed such reasonable time for performance thereof by their respective Masters, as to the next Ju-

stices of Peace of that Precinct shall seem requisite and necessary to the same. Given under my hand this 10. of *January* 1652.

Signed, Daniel Searle.

An Act for the relief of such persons as lie in Prison, and others, who have not wherewith to pay their Creditors.

82 WHereas it hath been taken into consideration, the extream poverty of several poor persons within this Island, and their inabilities to satisfie their several Creditors, and by reason thereof suffer long and tedious imprisonment without any hope of relief therein. It is hereby enacted and ordained by the Governour, Council, and Gentlemen of the Assembly, that all such persons, who are in prison, and all others that have no other way to satisfie their several Creditors, and Judgement for the same obtained against them shall, if they will thereunto submit, be ordered and appointed by the Judge, and assistants of the Precincts wherein he lives, or wherein such Judgement was obtained to serve his, or their Creditors at the rate of eighty pounds of Sugar *per* Moneth, untill such judgement had, or debts

debts by him, or them owing shall be fully satisfied; and that the Judgement first had and obtained, be first satisfied, & so in order as the several debts, or Judgements are made, had, and obtained: And that in case any such persons shall be Artificers, their wages to be augmented according to the discretion of the Judge, and Assistants as aforesaid, any law, usage, or Custom heretofore to the contrary in any wise notwithstanding. Given under my hand this 4. of *February*, 1652.

Signed Daniel Searle.

An Act for imposing a Custom of two per Cent. *on all the Native goods exported from this Island for one year.*

83 WHereas it hath been taken into consideration, the present, and most urgent necessities of goods for to supply and defray the charges of this Island, and that an Act imposing a Custom on the Native Commodities of this Island exported from the same, was made for the space of one whole year, to begin from the 21. *March* 1651. and the same is now near expired. It is therefore hereby ordained and enacted, by the Governour,

nour, Council, and Assembly, that all Commodities and goods shipped, or exported from this Island (from, and after the 21. of this instant *March*, and untill the 21. of *March* 1653.) arising, from, and being the goods and Commodities, and of the growth of this Island, shall pay to the Treasurer (for that purpose appointed) for the use of the Countrey, two *per Cent.* of the same kinde and species of which the said goods, or Commodities, so to be exported hence, are, and so in proportion, for lesser, or greater quantities. And be it further ordained and enacted by the Authority aforesaid, that if any the Native goods, or Commodities of the growth of this Island shall at any time (after the 21. of this instant *March*, and untill the 21. of *March* 1653.) be shipt, or put into any Boat, or other Vessel, to the intent to be carried into any parts beyond the Seas, the said Imposition due for the same not being paid, or lawfully tendered to the Collector thereof, or his Deputy, or having not agreed for the same with the Officer, or Officers, or other Deputies for the same, according to the intent of this Act, that then and from thenceforth all the said goods shall be forfeited, the one moyety thereof to be

seized

seized on by the Treasurer for the use of the Country, and the other moyety to be to him, or them that shall seize, and prosecute for the same in any Court of Record within this Island. And be it further enacted and ordained by the Authority aforesaid, that an Office be set up wherein the said goods, so to be exported, are to be entred, and the Customs due thereon by vertue of this Act paid, or otherwise compounded for, and that such Officers be made concerning the said levies, as to the Governour, Councel, and Assembly shall seem just, and as the use is in the like cases in the Common-wealth of England, and that at every Bay, and place from whence goods of the growth of this Island, are usually loaden, there be appointed a sworn Searcher to live and abide there, and his name and place of aboad to be made publickly known, to the intent all such goods may be transported with his notice, and the said imposition duely paid. And be it further ordained and enacted, that all such goods as shall be shipt without the knowledge, or privity of such Searcher, or his sufficient Deputy, in that case provided, shall be forfeited, the same to be seized on, or disposed of in manner and form as above limited.

And

And be it further enacted by the Authority aforesaid, that no ship, or ships be stopped or hindred of her voyage by the Searcher, or his Deputy, unless it can be made appear that he hath more Goods aboard then are mentioned in the Book of Entries. Given under my hand this 16. of *March* 1652.

Signed, Daniel Searle

An Act for the incouragement of such person or persons as shall first invent and publish the grinding of Sugar Canes, with half the strength that now is commonly used in, or about the same.

84 WHereas it hath been proposed by some persons within this Island, to publish an invention, whereby half the draught of the Sugar Mils will be saved, that is to say, that half the strength shall grinde as much in as short a time as the whole strength now used doth dispatch, for the encouragement therefore of any such persons that may hereafter undertake the same. Be it ordained and enacted by the Governour, Council, and Assembly, that such Person, or Persons, his Executors, or Administrators shall have, and en-

enjoy his or their ſaid invention for and during the ſpace of three years next enſuing the publication thereof, any other perſon, or perſons within this Iſland ſhall ſet up works after ſuch time by ſuch Perſon, or Perſons firſt invented, during the ſaid three years without firſt agreeing with him, or them, ſuch Perſon, or Perſons, his Executors Adminiſtrators ſhall be liable to pay unto the ſaid firſt Inventors, their Executors, or Adminiſtrators the full quantity of five hundred pounds of good Muſcovado Sugar, the ſame to be recovered by the firſt Inventors, their Executors, Adminiſtrators by action of debt in any Court of Record within this Iſland. Given under my hand this 16. of *March* 1655.

Signed, Daniel Searle.

An act for ſetling an Exciſe on ſtrong Liquors.

WHereas the great trouble and charge in levying and paſſing the Cuſtomes of two *per Cent.* impoſed upon all goods of the growth of this Iſland hath been taken into conſideration, and upon debate thereof finding that goods for publick uſes may

may be better, and with more eaſe, and leſs charge raiſed by way of Exciſe to be impoſed by this Act on ſtrong Liquors, which it is hoped may in ſome meaſure defray the publick charge of this Iſland, it is therefore thought fit, declared, and enacted by the Governour, Council and Gentlemen of the Aſſembly, and by Authority of the ſame, that the Act impoſing a Cuſtom of *two per Cent.* on the Native Commodities of this Iſland, and every clauſe thereof be, and are from henceforth repealed and made void to all intents and purpoſes whatſoever, provided, nevertheleſs that all perſons that have taken out Cockquits for the ſhipping of goods, ſhall pay what was, is, or ſhall be due thereon to the publick Treaſurer, the ſaid Repeal in any wiſe to the contrary notwithſtanding. And be it further enacted by the Authority aforeſaid, that all ſtrong Liquors, which are, or ſhall be brought into this Iſland, and not already entred, ſhall pay after the rate and proportions hereafter enſuing (*viz.*) for every Tun of *Spaniſh* Wine four hundred pounds of Sugar, for every Tun of *French* Wine three hundred pounds of Sugar, for every Tun of Beer two hundred pounds of Sugar, for every Tun of

Cyder

Cyder two hundred pounds of Sugar, and for every Gallon of Strong waters four pounds of Sugar. And whatsoever Master, Commander, or ship Marchant, Mariner, or other person whatsoever shall put into any Boat, with intent to land the same, or shall put on shore any the Liquors above mentioned, the said Excise being not paid, or otherwise agreed for with the Treasurer for the time being, or without an Officers presence to take account of the same, shall forfeit the same, and also as much more as the true value thereof in Sugar shall amount unto, the one moyety of all such forfeitures shall be to the publick use of this Island, one third to the Treasurer and Clerk of entries for the time being, and one third to the discoverer, informer, or seizer of the same; to be recovered upon proof made before the Governour and any two of his Council, or any two Justices of the Peace that he shall call into his assistance for that purpose; and for the better levying of the Excise aforesaid. Be it further enacted by Authority aforesaid, that there be a Seal appointed, with which the Cask of all such Liquors, which are duely entred and paid, or agreed for, shall be marked, and what Cask shall be found on shore unmarked, shall be

forfeited in manner aforesaid, and whosoever shall presume to counterfeit the same Mark, and be thereof legally convicted, shall stand in the Pillory for the space of one whole hour, and lose both his ears, and if the Officer shall lend the said Seal, or suffer the same to be out of his hands, so as the Country thereby may be defrauded, shall incur the same penalty as aforesaid: And in regard that strangers that come hither may not have the command of ready goods; Be it further enacted by the Authority aforesaid, that the Owners and disposers of such Liquors shall upon good security given to the Treasurer for the time being, have three moneths time for the payment thereof, any thing in this Act to the contrary notwithstanding, and due abatement shall be made, for what leakage after entry of the said Liquors shall be made appear to the Treasurer, to have been upon Oath of two sufficient and impartial Witnesses: Provided nevertheless, And be it enacted by the Authority aforesaid, that if the said goods be not paid at the said three moneths end, wherein the same is agreed on, but the Treasurer enforced to sue for the same, that in such case the Court, wherein he shall prosecute his action, shall allow treble damages

damages for the forbearance, and treble costs of suit. And be it further enacted by the Authority aforesaid, that in case the Master, or Pursers of all ships importing the said Liquors, shall, and do make a full and true entry thereof upon Oath, that then he shall be allowed one *per Cent.* for portage, otherwise no portage shall be allowed him. And be it further enacted by the Authority aforesaid, that for the better Collection of the said Excise, and true account to be taken of the same; a Clark of entries be appointed, who is truely to receive and set down all entries that shall be hereafter made, and the same safely keep as a Check, whereby the Treasurer may receive a true charge from him, when he shall be called to account, also a Treasurer for to receive the same, the said Treasurer & Clark of the Check to be nominated & appointed by the Governour, Council, and Assembly for the time being, and convenient Salaries appointed for them, which said Treasurer, Clark, or either of them, and such Officers appointed by them, with the approbation of the Governour had thereunto, may make diligent search for any Liquors, which they suspect to have been Landed without paying, or contracting for the said Excise,

and in case of resistance, they, or any of them, may by a Warrant obtained from a Justice of Peace, (who in such case is authorized and required to grant the same) and by the assistance of a Constable, or Constables break open the doors of any place, or places where the said Liquors shall be reasonably supposed to be, in the execution whereof all the good people of this Island are hereby authorized to aide and assist them; And for the better and more just proceeding therein, it is further enacted and ordained by the Authority aforesaid, that before either the Treasurer, or Clark of the entries, and all Searchers, and other subordinate Officers appointed by them, shall Act, or Officiate by vertue of their places, they, and every of them shall take their Corporal Oaths upon the holy Evangelists, well, truely, and faithfully to discharge their respective trusts, and duties therein. Given under my hand this 28. of April, *Ann. Dom.* 1653.

Signed, Daniel Searle.

An Addition to the Act for restraining the wandring of servants and Negro's.

86 WHereas by reason of the smalness of the pay, for the taking up, & whipping

ping Negro's that wander, and run from their Masters Plantation, the Act formerly made and published in that behalf, hath not been so duely observed. Be it ordained and enacted by the Governour, Council, and Gentlemen of the Assembly, that if the said Negro's Master be known, that then the taker up shall give the Owner notice within forty eight hours of his taking up, and shall, and may lawfully detain the same Negro, untill the said Owner send him his sufficient note, for ten pounds of Sugar *per* Mile, for every Mile that is betwixt the Plantation of which the said Negro is, and the Plantation where he is taken up; but if the Owner of the said Negro, or Negro's be not known, that then the said Negro, or Negro's be sent to the Bridge, as in the said Act, they being to receive one hundred pounds of Sugar of Mr. *James Beak*, or who else shall be by the Governour appointed, and the Marshall is hereby authorized, and required to keep the said Negro, or Negro's, as in the Act, untill the said *Beak*, or such other as above be paid by the Owner of the said Negro, one hundred and ten pounds of Sugar in satisfaction of his said disburse, and six pounds of Sugar *per* day for the pro-

vision which the said Marshal is to give every such Negro. Provided nevertheless, that in case the Masters, or Overseers of any Family do not take up such Negro's so without Tickets in their Plantations knowing of the same, shall forfeit one hundred pounds of Sugar to the Informer; the same to be recovered by Action of Debt, in any Court of Record within this Island, and also if he do not whip such Negro, though he do take him up, such Master, or Overseer shall lose all the Sugar due to him by vertue of this Act, any thing herein contained notwithstanding. Given under my hand this 6. of *June* 1653.

Signed, Daniel Searle.

An Act for the peace of the Island under the present Government.

87 WHereas the present Government of this Island hath been setled by the Supream Authority of the Common-wealth of *England*, and by reason of the dissolution of the late Parliament, many loose and disaffected persons may be apt and forward by their idle words, or actions to say, or do such things as may be prejudicial to the Authority and

& Government thereof; for prevention whereof. Be it hereby ordained and enacted, and it is ordained and enacted, by the Governour, Council, and Gentlemen of the Assembly, and by the authority of the same, that all persons whatsoever, that shall [illegible] publication hereof say, or act any thing in derogation of the present Government here established, or refuse to yield obedience thereunto, shall be proceeded against as enemies to the Peace of this Island, and receive punishment accordingly. Given under my hand this 19. of *July* 1653.

Signed, Daniel Searle.

An Act for the repealing of the late Act, concerning the selling of goods attached by Executions, by an Out-cry.

88 WHereas great complaint hath been made concerning Executions by force of the Statute of Out-cries, whereby many people are reported to have been ruined, and more are likely to be: Be it therefore enacted by the Governour, Council, and Assembly, and by Authority of the same, that the several Judges of the Respective Courts within this Island, from and after the

Publication of this Act issue out no Execution by vertue of that Statute: but proceed in all Executions as formerly they did. And the said Judges are hereby required to certifie the Governour and Council at their next sitting, what obstructions and defects there are in the usual and ancient way of levying of goods on Executions, that other convenient and speedy remedy may be taken therein. Given under my hand this 25. of *August* 1653.

Signed, Daniel Searle.

An Addition to the former Act concerning the Excise.

89 WHereas it hath been taken into consideration, that in the Act last made for the establishing of the Excise on strong Liquors imported to this Island, there was no time of limitation therein expressed: It is therefore hereby ordained and enacted by the Governour Council, & Assembly and by the Authority of the same, that the said Act for Excise, or Impost of drink last past, bearing date in *April* last, 1653, be of force for the space of twelve moneths, from, and after the date thereof next following, and no longer, unless by the Governour, Council, and Assembly

bly it ſhall be thought fit to be continued. Given under my hand this 17. of *September* 1653.

Signed, Daniel Searle.

An Act declaring what proofs to Bonds, Bills, Procurations, Letters of Attorny, or other Writing, ſhall be ſufficient in Law.

WHereas by reaſon of the great diſtance between this place and *England*, direct proofs concerning Deeds, Bonds, Writings, or other ſpecialties for Monies, or Goods taken up, or engaged for, and towards the ſupply & further ſettlement of this Iſland, and of Letters of Attorny, Procurations, and others powers to prove the ſame cannot be had, and alſo any Bonds, or ſpecialties hereafter to take up any conſideration whatſoever, whereby great miſchiefs hath redounded to the good people of the Common-wealth of *England*, and great obſtructions to the Juſtice of this Iſland, no expreſs proviſion being yet made therein, for remedy whereof, Be it enacted and ordained by the Governour, Counſil, and Aſſembly, and by the authority of the

 ſame,

ſame, that ſuch Deeds and Bonds, or other ſpecialties, all Letters of Attorny, Procurations, or other powers in writing, which ſhall at any time after publication hereof be produced in any Court of Juſtice within this Iſland, atteſted to have been proved upon Oath, under the hand and Corporation-Seal of the Lord Major of *London*, or of any other Major, or chief Officer of any Citie or Town-Corporate, within the Dominions of the Common-wealth of *England*, ſhall be taken, deemed, and adjudged as ſufficient in Law, as if the Witneſſes in them named and ſubſcribed had been perſonally there, and proved the ſame, and that ſuch Atteſtation ſhall be ſufficient Evidence to the Jury to give verdict thereon, and ſufficient Warrant to the Judge to proceed to all lawfull intents and purpoſes whatſoever, any Law, or Cuſtom to the contrary notwithſtanding: Provided, nevertheleſs, and it is the true intent and meaning of this Act, that to prevent all deceits that may happen hereon, no Execution ſhall be granted upon any judgement had upon the Teſtimonies ſo certified as aforeſaid, untill the Plantiffe, if the Defendant ſo require it, have firſt given good ſecurity, in double the ſumme recovered unto the

Judge

Judge of the Court, where such recovery was had, that the Debt recovered was a just and real Debt, and that the whole, nor any part of what he demands, was ever satisfied unto the Creditor, or any other by his order for his use, or that what he demands upon the Specialty, upon which he sues, was ever satisfied in whole, or in part, and that the Debtor have two years time to disprove the said Debt, or any part of it, and therein have the same advantages of proofs, as the Creditor is allowed by this Act, and also he shall have power to bring before the said Major, or other chief Officer Collateral proofs, as by verbal Testimonies, although he have no specialty, or acquittance, as also Bill of lading, or other circumstantial proofs, which being certified to have been testified upon Oath, as aforesaid, shall be held sufficient for disproof of the said Debt, or any part of it, and if in that time it be not, nor any part of it disproved, that then the said security shall be void, and the Bonds, or Bills taken thereon be delivered up and Cancelled, but if the whole demand, or any part of it being in the time disproved, the Plaintiff shall pay what is so disproved to the Defendant with treble damages, which by the

De-

Defendant shall be proved to the Jury, that he hath suffered thereby: Provided also, that no Creditor shall take benefit by this Law, but such a one as hath first taken his Oath before the said Major, or Chief Officer that shall make the said Certificate, that neither whole demand nor any part thereof is satisfied, but the said Creditor claim the Debt as Executor or Administrator, then he shall onely swear that to his knowledge neither the whole, nor any part of the said Debt is satisfied. Given under my hand this 16. of *September* 1652.

Signed, *Daniel Searle.*

An Act for the repealing of the Chancery.

91 BE it enacted, or ordained by the Governour, Council, and Assembly, and by the Authority of the same, that an Act instituting the present Court of Chancery, bearing date the sixth of *August* 1652. be from, and after the publication hereof repealed, and made void to all intents and purposes whatsoever. And to the intent the persons, who have sutes now depending in the said Court, may not lose their charge and pains: Be it furrher enacted by the authority aforesaid, that all Bills and Answers

and

nd all Orders, and other proceedings on the ame, be in convenient time transmitted from e said Court of Chancery (repealed by this) to such other authority as shall be ap- ointed to determine the same, and that the id parties shall there proceed therein, as they ight have done in the other Court, had it not een repealed, any thing in the Act of repeal the contrary notwithstanding. Given under y hand this 22. of *September* 1693.

Signed, Daniel Searle.

An Act for the mending of the High-wayes, with an addition to the same.

92 UPon complaint that the High-ways of this Island are very bad & impossible, to the great hinderance of Trade, for remedy whereof: Be it enacted and ordained by the Governour, Council, and Assembly, that Captain *Richard Fears*, and *Will. Kerton* Esquire, Lieutenant Colonel *Thomas Kous*, Serjeant Major *John Johnson*, Members of the Assembly for the Parish of *Philips*, & *Christ-Church*, or any two of them are, and be hereby authorized and appointed to be Committees for the wayes within those Parishes, Colonel *James*

Drax

Drax, Colonel *Tho. Maddiford*, Colonel *John Burch*, Lieutenant Colonel *Christopher Codrington*, *Will. Vassel* Esq; and Mr. *Fra. Rat*[illegible] Members of the Assembly; or any three of them for the Parish of *John*, *George*, & *Micha*[illegible] be authorized & appointed Commissioners for the wayes within those Parishes, Colonel *Edmond Read*, Lieutenant Colonel *George Stee*[illegible] *fast*, Members of the Assembly for the Parish of *James*, be authorized and appointed Commissioners for the wayes in that Parish, Capt. *Tho. Maycoke*, and Captain *Simon Lambe*[illegible] Members of the Assembly for the Parish of *Lucies*, be authorized & appointed Commissioners for the wayes in that Parish. Lieutenant Colonel *John Bayes*, and Captain *Henry Mi*[illegible] Members of the Assembly for the Parish of *Andrews*, be authorized and appointed Commissioners for the ways in that Parish, Colonel *John Yeomans*, and Captain *Will. Andiso*[illegible] Members of the Assembly for the Parish of *Peters*, be authorized & appointed Commissioners for the wayes in that Parish, Mr. *Peter Lear*, and Mr. *Seth Rowly*, Members of the Assembly for the Parish of *Josephs*, be authorized appointed & Commissioners for the ways in that Parish. All which Persons have hereby

power,

power, and are hereby required forthwith to take the care & charge of the respective wayes upon them, that they may be made firm and good, for the Inhabitants of this Island to pass two and fro on foot, and with their Cattle, Horse, and other beast about their occasions, and that the same may be equally and firmly done, they have hereby full power to alter and change any way for the good of the Country, and lay the way where it was not before, and make null, or annihilate such wayes as are not needfull, using their wisdom and best skill to the good of the Country, and least damage to those men, through whose Lands they shall be laid, and so near as conveniently may be to lay the wayes between man and man their Lands, in their lines equal in each mans Lands, and also to require any Surveyor in this Island to give there attendance, and lay out such wayes at all times, and in such places, when, and where they shall be thereunto by Authority of the said Commissioners required, and also to nominate and appoint Surveyors in every Parish, to take the oversight of the work, and to see that every one shall be appointed to do or pay, and to give account of their doing therein to the Commissioners, when they shall be thereunto

unto required, which said Surveyors, for ever
dayes default they shall make, in what shall by
the said Commissioners be required of them
shall forfeit 50 pound of Sugar *per* day, &
the said Commissioners have power to
point, and require the inhabitants of every P
rish within their several limits, not onely
fell their woods, to clear the wayes from wo
stumps, grass, and weeds in their own grou
and to keep them so, but also to require ev
Inhabitant, and Owner of Land, or Hou
and sojourners within their Parishes to do
labour, and to pay such Taxes as shall be ne
full from time to time, so as the same be equ
ly laid, so as one be not eased, and others bu
dened, and in case any man whom they sh
reasonably require to perform any thing, or
pay any Taxes towards the laying out, men
ing, or repairing of the said wayes as afore
said, shall refuse to obey the same, or confo
themselves thereunto, they shall forfeit fi
pounds of Sugar a day, for every day they sh
stand out from performing the same, the sa
to be levied by Warrant from the said resp
tive Committees, & applied towards mend
the said wayes: And it is further enacted by t
Authority and consent aforesaid, that in
ga

ard the Bridge-Town receiveth a great bene-fit by the Trading thither, that the Inhabitants of this Town, Owners of Lands, or Houſes, or ſuch as Rent-dwelling-houſes, Store-houſes for one whole year, or more Store-houſe-keepers and the like ſhall be, by the Committee appointed for *Michaels* Pariſh aſſeaſed to make a ſufficient Gravel-way home to the Gully, where the Stone-bridge now ſtands, and build a ſubſtantial Bridge upon it, and keep the ſame Bridge and way in good repair, and that the Committee ſee the ſame put in ſpeedy execution, this act to continue, and be in force no longer than the Perſons nominated therein continue to be of the Aſſembly. Given under my hand this 16. *September* 1653.

Signed, Daniel Searle.

An Act to reſtrain the exceſſive rate of Salt within this Iſland.

63 WHereas Salt hath been of late inhanceſed to an intolerable price, to the great impoveriſhing of the Inhabitants of this Iſland, and the enriching of a few particular perſons for prevention whereof for the future, Be it enacted and ordained by the Governour,

vernour, Council, and Assembly, and by the Authority of the same, that from and after publication of this Act, no Store-houle keeper, or other Retailer shall buy any Salt to sell within this Island again, at above twenty pound of Sugar *per* Bushel, upon pain of forfeiture of 1000. pound of Sugar, for every Bushel he shall sell above that rate, and so in proportion for more, or less than a Bushel, the one half thereof to the publick Treasury, and the other half to him that shall prosecute the same in any Court of Record within this Island. Given under my hand this 29. day of *November* 1653.

Signed, *Daniel Searle*

An Act declaring what was intended by the Repeal, made the 21. Decemb. 1652.

94 WHereas complaint hath been made, that advantage hath been taken by many persons, offending against the ancient Laws of this Island, upon construction of the said Repeal, that they were discharged of the same for all matters committed, before the seventeenth day of *Sept. Anno* 1652. whereas no such thing was ever intended by the same

Be

Be it therefore enacted, declared, by the Governour, Council, and Assembly, and by the Authority of the same, that the said Repeal, nor any thing therein contained shall be construed to free, or discharge any person, or persons for any matter, or thing committed, or done by them contrary to any Statute in force, before the said seventeenth day of *September*, but that he, or they may be prosecuted upon the same; as fully, as if the said Repeal had not been made: Provided, that the said Statutes concerns nothing against Liberty of Conscience, Kingly Government, or relate to the late unhappy differences of this Island, nor extend to confirm, or repeal any private Act whatsoever, neither concern building, or keeping of Boats, and which is mentioned in the said Act of Repeals. Given under my hand this 30. *November* 1653.

Signed, Daniel Searle.

An Addition to the Act dated the 16. of September last, declaring what proofs to Bonds, Bills, Procurations, Letters of Attorny, or other Writings shall be sufficient in Law.

WHereas it was enacted and ordained by the said Act, that such Deeds, & Bonds, or other Specialties, Letters of Attorny, Procurations, or other powers in writing, which should at any time after publication thereof, be produced in any Court of Justice within this Island, attested to have been procured upon Oath under the hands, and Corporation Seal of the Lord Major of *London*, or any other Major, or Chief-Officer of any Citie, or Town-Corporate, within the Dominions of the Common-wealth of *England*, should be taken, deemed, and adjudged as sufficient in Law, as if the witnesses in them named and subscribed, had been personally there, and proved the same, and that such Attestations should be sufficient evidence to the Jury to give verdict thereon, and sufficient Warrant to the Judge to proceed to all lawfull intents and purposes whatsoever, any Law, or Custom

ſtom in this Iſland to the contrary notwithſtanding: Complaint having been made, that the Citie Seal, and the hand of the Lord Major cannot both be had, but that the Citie Seal of *London*, without the hand of the Lord Major thereunto is held authentick enough, always allowed for proof to Juries in *England*: Be it therefore ordained and enacted by the Governour, Council, and Aſſembly, and by the Authority of the ſame, that all Deeds, Bonds, or other Specialties, all Letters of Attorny, Procurations, or other powers in writing, which ſhall at any time after publication hereof be produced in any Court of Juſtice within this Iſland, atteſted to have been proved upon Oath under the Citie, or Corporation Seal of any Citie, or Town-Corporate within the Dominions of the Common-wealth of *England*, ſhall be taken deemed, & adjudged as ſufficient in law, as if the witneſſes in them nam'd, & ſubſcribed, had been perſonally there, and proved the ſame, and that ſuch Atteſtations ſhall be ſufficient evidence to the Jury to give verdict thereon, and ſufficient Warrant to the Judge to proceed to all lawfull intents and purpoſes whatſoever. Given under my hand this 14. of *February* 1653. *Signed, Daniel Searle.*

A further Addition to the Act for mending the High-wayes.

96 UPon complaint made by the Commiſſioners for mending the High-wayes, that in the former Act now in the Addition to the ſame, no proviſion was made, nor care taken for the due, and true levying, or receiving the ſeveral Taxes, Rates, and forfeitures, that do, or ſhall accrue by vertue of the ſaid Act, or as is mentioned in the ſame, for, and concerning the mending, or laying out the High-wayes, for remedy whereof: Be it enacted and ordained by the Governour, Council, and Aſſembly, and by the Authority of the ſame, that it ſhall and may be lawfull for the Commiſſioners nominated in the ſaid Act for the ſeveral Precincts, or Pariſhes therein mentioned, to iſſue forth their Warrant, or Warrants under their hands directed to any one of the Conſtables within the Precincts, or Pariſhes where default is made, and a diſtreſs thereupon due to be taken to diſtrain any of the goods of ſuch perſon, or perſons as ſhall refuſe to pay their ſeveral Rates, Taxes, or forfeiture as they are, or ſhall be by vertue of

of the ſaid Act, rated, taxed, or have forfeited, as is therein mentioned, provided the ſaid rate, or tax be equally made, or that thereby one be not eaſed, and others burdened, as in and by the ſaid Act is directed, and to make ſale of the ſaid goods ſo diſtrained, for the ſatisfying the ſame, returning the overplus to ſuch party, or parties from whom the ſame is diſtrained (if any be) and the ſaid Conſtable, or Conſtables to whom ſuch Warrant, or Warrants, is, or ſhall be directed, is hereby impowered, to have, and receive for his pains, one pound for every ten pounds that he ſhall levy by vertue of the ſaid Warrant: and if any Conſtable do neglect his duty therein, then the ſaid Committee, or Commiſſioners have hereby power to commit the ſaid Conſtable, or Conſtables to priſon for his, or their neglect, or contempt, there to remain till he hath paid ſo much towards mending the ſaid wayes, as by his Warrant he ought to have diſtrained for. Given under my hand this 14. of *February* 1653.

Signed Daniel Searle.

An Act relating to the Courts of Common-Pleas within this Island, for the better regulating the same.

97 UPon complaint made that there is great delays, & hinderance of Justice occasioned by the non-appearance of Jurours, lawfully summoned, and returned, to try such issues joyned in the several Actions, Suits, and Demands triable in the Courts of Common-Pleas within this Island, and the dispatch of busines in the said Courts thereby much retarded, to the great costs, charges, and hinderance of the parties on such Actions and Suits attending, for remedy whereof for the future: Be it enacted by the Governour, Council and Assembly, and by the Authority thereof, that upon default of appearance of any Jurour, or Jurours lawfully summoned to pass upon the Trial of any issue joyned in any of the Courts of Record holden within this Island, he or they having no lawfull cause for their absence (which cause to be judged of by the Court) or shall after his, or their appearance wilfully withdraw him, or themselves from the present service of the Court, shall for every such offence

fence forfeit, and pay one hundred pounds of Muſcovado Sugar, the ſame to be levied by the Marſhall of the Court, by Warrant under the Judges hand, as Executions are, out of which fine ſo received, it ſhall and may be lawfull for the Marſhall to receive 10. l. *per Cent.* for levying the ſame, and the Clark of the Court, 4. l. *per Cent.* for drawing the Execution, the remainder to be paid into the Commiſſioners of the High-wayes towards mending and repairing ſuch wayes, as are within that Precinct: which forfeitures, or fines ſo ſet, the chief Clark of every Court ſhall certifie to the ſaid Commiſſioners, or one of them within 15. dayes after they ſhall be aſſeſſed, upon pain to forfeit for every neglect in certifying the ſame, 5. hundred pounds of Sugar. And whereas divers perſons of malicious minde do many times cauſe others to be very much moleſted and troubled by Actions and Suits brought and commenced without any juſt cauſe, or colourable ground for the ſame, by means whereof the party is malitiouſly put to great charge and expence: For remedy whereof, be it ordained and enacted by the Authority aforeſaid, that in every ſuch caſe, as alſo where the Plantiffe is non-ſuited, or lets fall his Action,

or doth not appear to his ſaid Action after Declaration entered, the Judge and Aſſiſtents of the Court for the time being, ſhall according to their beſt diſcretions adjudge convenient coſts to the Defendant, the ſame to be levied as aforeſaid, & the Marſhall & Clark to receive therein the Fees aforeſaid. Complaint having likewiſe been made, that through the misbehaviour and ill language given, and retorted from party to party in preſence of the Court, great diſturbances oftentimes ariſeth, and contempts are ſhewed to the Authority of the ſame: For prevention whereof for the future, be it ordained and enacted by the Authority aforeſaid, that it ſhall, and may be lawfull for the Judge of the Court in ſuch caſes to fine ſuch perſon, or perſons ſo offending by evil, and provoking language, or otherwiſe misbehaving themſelves, one hundred pounds of Sugar to be paid the Commiſſioners as aforeſaid, to the uſe of the High-wayes, and in default of paying the ſame, to ſit in the ſtocks for the ſpace of one hour. And whereas no certain time is obſerved for the ſetting of the ſeveral Courts of Common-Pleas within this Iſland; but oftentimes have been adjourned, by means whereof great inconveniences doth

ariſe,

arise, no prefixt time being set: Be it ordained and enacted by the Authority & consent aforesaid, that from and after the publication hereof, the Courts do observe to sit every four weeks (and not otherwise) according to that rule and order.

Signed, Daniel Searle.

An Addition to the Act concerning appraisas.

98 COmplaint having been made, that several persons required by the Respective Marshals of Courts within this Island, to appraise Goods upon Execution, have made refusal so to do, which hath occasioned great delayes, and by means thereof, persons, who have been Plaintiffs received much prejudice, for prevention whereof for the future, be it therefore enacted and ordained by the Governour and Council, and Assembly, and by the authority of the same, that the Judges of the Respective Courts have thereby power to appoint as many meet and able Free-holders within their Precincts, as they shall think fit, and shall Administer to the said appraisers their Respectives, or others that they shall make, a just and honest appraisement, and if any such persons,

ſon, or perſons ſhall refuſe to execute the Commands of the ſaid Judges in that behalf, or to take the Oath aforeſaid, every of them ſhall for every ſuch refuſal and neglect be fined by the ſaid Judge 300 l. of Sugar, the ſame to be levied by Warrants under the Judges hand, on the Eſtate of the Offender, & the ſame ſo levied, to be paid unto the Commiſſioners of the High-wayes of the Precincts wherein the ſame is forfeited, to be diſpoſed for the making and repairing the ſame. Given under my hand the 26. day of *July* 1654.

Signed, Daniel Searle.

An Addition to the Act for ſeiling the Trained-Bands within this Iſland.

WHereas ſeveral Free-men, Labourers, and Artificers, by the ſaid Act are under the penalties therein expreſſed, enjoyned, and required, to liſt themſelves under the title of Free-men, and ſerve under the Colonel of the Regiment, in ſome Company of the ſaid Regiments, where they live, labour, or work, complaints having been of a great neglect therein, and that ſeveral Maſters of Families have refuſed to give a liſt of ſuch Free-

men,

men, as they have in their Families, or Plantations, and by means thereof no account have been taken of their neglects at Exercising days: Be it therefore enacted by the Governour, Council and Assembly, and by the Authority thereof, that all and every Master of Families, or Plantations, being required by some one Justice of the Peace, or Field-Officer of the Regiment wherein he lives, shall from time to time give a true and perfect list of all such Free-men as they have in their Families and Plantations, and upon default thereof shall forfeit one thousand pound of Sugar, the same to be recovered in the Court of the Precincts by Action of debt, the one third of such forfeiture to be to the use of such persons as shall sue for the same, the other two thirds to such use as the major part of the Trustees of that Parish, wherein the said forfeiture is made, shall appoint. Given under my hand this 26. day of *July* 1654. *Signed, Daniel Searle.*

An Addition to the Act concerning High-wages.

100 WHereas several Inhabitants of the Parish of *Michaels*, have at their great

their great charge and coſt built a Bridge, and made a Cawſe-way leading to the Bridge-Town, for the better and more convenient paſſage and traveling of Horſe and foot, and for preſervation of the ſaid Bridge and Cawſe-way from being ſpoiled, and broken poſts were ſet up as impediments, to hinder Carts from paſſing thereon, complaint having been made that the poſt at the Bridge have been maliciouſly cut down, or removed, for prevention whereof for the future: Be it enacted and ordained by the Governour, Council, and Aſſembly, and by the Authority of the ſame, that whoſoever ſhall cut down, draw up, or remove the poſt at the Bridge, or any other poſt, or other impediment ſet up to hinder Carts from paſſing on the Cawſe-way made, or to be made in the Pariſh of St. *Michaels*, or elſewhere within this Iſland, ſhall forfeit, if he be a Free-man, two thouſand pounds of Sugar, if he be a Servant, he ſhall ſerve the publick three years, the ſame to be adjudged, and Execution awarded by any Juſtice of the Peace within this Iſland, before whom the ſame ſhall be proved. Given under my hand the 26. day of *July* 1654.

Signed, Daniel Searle.

An

An Act for reparation to such as are wrongfully Arrested.

101 WHereas many of the Inhabitants of this Island have been greatly damnified by reason of Warrants of Arrest obtained and granted out against them upon wrongfull information, as being non-residents, or that they are going off the Island, and no provision yet made for reparation of such person, as shall upon such wrongfull information be molested: Be it ordained and enacted by the Governour, Council, and Assembly, and by the Authority of the same, that no Warrant of Arrest shall in any such case hereafter be granted, unless, and untill the party, which shall desire the same, have first given in Bond to the Governour to be returned into the Secretaries Office, in treble the summe he doth demand, that the said demand is true and just, and that he shall put in his Declaration within three dayes after, and prosecute the same with effect; and in case he shall fail to perform accordingly, he shall then pay to the party grieved treble the damage, which shall appear to a Jury, he hath received thereby, and shall further

their pay one thousand pounds of Sugar to the Treasurer for the time being to the publick use, for such his undue and wrongfull proceedings. Given under my hand the 26. day of *July* 1654.

Signed, Daniel Searle.

An Addition to the Act concerning persons going off this Island.

102 WHereas by a former Act no person shall have his Ticket to go from off this Island, except he shall first bring a Certificate from the Captain under whom he is listed, and some Justices of Peace certifying the Secretary their names, *Christian*, and Surnames, and that it is, that many persons remain for some time, and are never listed, nor are known to any Justice, by reason that they have not been resident in any certain place of abode so long as to be listed under any Captain, or known to any Justice, besides many come to this Island to do their business, and do not intend to settle in this Island, and when they are to go away cannot procure such Certificate, and by that means are hindred from going off this Island to their great damage, for remedy where-

whereof; be it enacted by the Governour, Council, and Assembly, and by the Authority thereof, that if any such person shall bring two credible persons to the Secretary, and make Oath that the person requiring his Ticket, hath been ever since he came into this Island, or within four moneths last past, being the time that they have known them, or that they have known them in other parts, that they have been ever since they have known them called by the said names, and still are so called, and by no other name, the said Oath shall be sufficient Warrant to grant the said persons, the which Oath the said Secretary is hereby required, and impowered to Administer to the said parties, the said Oath shall be sufficient for the obtaining their Ticket, without the Certificate of the Captain and Justice: yet notwithstanding, it is not intended hereby that the Certificate from the Captain and Justice, according to the said Act shall be null, but that either wayes shall be sufficient to the Secretary. Given under my hand the 26. day of *July* 1654.

Signed, Daniel Searle.

BAR-

THe foregoing Acts, being in number one hundred and two, I have diligently examined, and do atteſt them to be true, with the Original Record Book of the Acts and Statutes of this Iſland.

John Jennings, *Clark of the Aſſembly, and Clark of the Peace, and Aſſizes.*

In my Office at the *Indian Bridge* in *Barbados*, July 19. 1654.

Deo gloria & gratia.

FINIS.

ACTS and STATUTES

Of the Iſland of

BARBADOS.

Made and Enacted ſince the Reducement of the ſame, unto the Authority of the Common-wealth of ENGLAND.

And

Set forth the ſeventh day of September, *in the year of our Lord God* 1652. *By the Honourable Governour of the ſaid Iſland, the Worſhipfull the Council, and Gentlemen of the Aſſembly.*

Together with the Charter of the ſaid Iſland, or Articles made on the Surrender, and Rendition of the ſame.

Publiſhed for the publick good.

Aug. *Sine Juſtitiâ Magna Regna nil aliud ſunt quam Magna Latrocinia.*

The beſt Common-wealths, without the due currant of Law and Juſtice, are no other than open Robberies.

London, *Printed by* Will. Bentley, *and are to be ſould by him at the* India Bridge.

MVSEVM
BRITAN
NICVM

To the Honourable the Governour and his COUNCIL.

And

To the Worshipfull the SPEAKER, and the rest of the Gentlemen of the Assembly in BARBADOS,

John Jennings *wisheth an Addition to your Graces here, and fruition of glorie hereafter.*

SIRS,



S you have made Laws to binde up your own Interest, and to regulate, and govern others; so 't is not enough they be kept by your selves, but that you see they be observed by all: *Lex non solùm observanda, sed etiam conservanda.*

It had been a fair Progreſſion to a well ſetled Government, had a way been long ſince opened to the people, for a more frequent converſe with your Laws; (therefore hath the Preſs the eminency of the Pen) piety would have been better propagated, and humanity more commended, for, *bonæ leges non ſolùm vitia anticipant, ſed etiam occaſiones vitiorum*: wholeſome Laws not onely prevent vice, but takes off the occaſion.

Some indeed there are, that being ambitious of perpetrating their own wicked inclinations, ſpurn at all order and good Government; and as one (being adviſed of the danger of a pit in the way) rudely returned, *oculos comprimo & omnia ubique plana ſunt.* So ſome glorie in the life of their ignorance, that they may plead no tranſgreſſion. *Noluerint intelligere ut bene agerent*, as the Pſalmiſt ſpeaks; they will not underſtand, fearing to be reduced from a ſordid beaſtly life, they will not live, rather than live well.

The Carpenters rule learn's him to ſquare forth a comely model, ſuch is the vigour of good Laws to the framing of mens lives, and the beſt introduction is the divulgation of thoſe Laws: *Linguam & manum lex humana nota ligat.*

It is therefore of ſome concernment as you are entruſted here, and to your good diſcharge before the great Tribunal hereafter, that you per-

form

form the diligence and care of men deſign'd, and called to propagate piety and advance publick good: not onely to enact well, but to be leading and good examples, as great lights to be the glorie of the leſſer.

It was once the out-cry of an Heathen, *Publicorum cura minor*, the care of the publick is the leaſt in any mans looks, and I could gladly wiſh every perſon of power could diſcharge himſelf according to that of *Jacob* to *Laban*, Gen. 30.33. *Cras reſpondebit pro me Juſtia mea.*

To leave the people inexcuſable, I have adventured on the Emiſſion of this work, and to preſent the people a cheap penny worth of your own Labours for the publick good: I ſhall not ſay to the General, as once St. *Paul* ſpake, though he in a Divine ſence, *metuo nè fruſtra laboraverim*, becauſe *meliora ſcio*, both your perſons, and your parts are known to me. if not (*in toto*, *in parte*) enough to ſpeak you *dignos præmio* meriting good reward.

As for the people, who look on the Law as too ſtraight a curb to their lives, *dum vivunt moriuntur*, that's the heavieſt dolour, they are even dead while they are living, & ſee not the way of their own good, *etenim lex liberos facit*, the Law gives us prerogative priviledges. If the Preſs render me culpable, my haſte may plead for your

ırdon, too eager fervency of zeal may make ɔlockiſh a good Devotion : good actions have but ill effects when Precipitant : too haſty deſire of good often hazards greater goods. Your pardon herein, and acceptance hereof ſhall Oblige him to more eminent ſervices, who, as your ſervant and wel-wiſher to the proſperity of the Iſland, ſubſcribes himſelf as he is

BARBADOS.

From my Office at *Indian Bridge*, July 9. 1654.

John Jennings, *Clark of the Aſſembly.*

La

La Tablé oú Indicé.

The TABLE, or INDEX, Directing the Reader unto each particular Act con-contained in this BOOK.

The Charter of *Barbados.* pag. 1.

Introduction to the Acts and Statutes following. pag. 12.

1. *THat all Acts in force within the Common-wealth of* England, *for free enjoyment of Religion be published, and here observed.* fol. 12.

2. *That all Marriages, Deaths, and be Burials recorded by the Ministers, and sent to the Secretaries Office.* fol. 13.

3. *That no perſon ſend any challenge to another.* fol. 14.

4. *That no perſons wear Piſtols, Skeyns, or Daggers.* fol. 15.

5. *That all ſervants under the age of* 18. *years, having contracted, ſhall ſerve ſeven years, and ſuch as are above* 18. *years, ſhall ſerve* 5. *years.* ibid.

6. *That no Children under age of* 14 *years be brought as ſervants to this Iſland.* fol. 16.

7. *That no perſons to Trade with ſervants.* 17.

8. *That all ſervants that ſhall lay violent hands on his Maſter, ſhall ſerve two years after his time of Indenture expired.* ibid.

9. *That all ſervants or hired men, &c. that ſhall embeZil, or ſteal, &c. ſhall ſerve two years.* 18.

10. *That whoſoever ſhall beget a woman ſervant with childe, ſhall ſerve the Owner of that Servant three years.* ibid.

11. *That no Maſters ſhall turn away their ſervants when they are ſick.* 19.

12. *That whoſoever ſhall entertain any mans ſervant, and doth not know him ſo to be, ſhall forfeit one hundred pounds of Sugar* per *night after the firſt night: but knowing him ſo to be, ſhall forfeit five hundred pounds of Sugar* per *night.* 20.

13. *That no ſhip ſhall unload her goods, before the*

the Master hath been with the Governour. 21.
14. *That no person go on board any ship, before the Master hath been with the Governour.* 22.
15. *That no person have a Ticket to go off this Island, without his name be up* 21. *dayes, and all underwritings cleared.* ibid.
16. *That if any Alien shall carry off any person without a Ticket, the next ship of that Nation shall be seized for satisfaction, and if any Englishman, his Bond shall be Assigned by Letter of Attorny.* 23.
17. *That no person keep a common Store house before he hath given security.* 24.
18. *That no Store-house keeper shall receive, or pay out any unmarchantable goods.* 25.
19. *That the Governours Warrant for the general Sessions do issue fourteen dayes before the first day of the same.* ibid.
20. *That all Justices, Coroners,* &c. *do make their return of all Recognizances, & Enquest,* &c. 6 *days before the* 1 *day of the sessions.* 26.
21. *That whosoever shall make a fraudulent Seal, or Engagement, shall pay double the value, suffer six moneths imprisonment, and stand in the Pillory.* 27.
22. *That the leaving of a Warrant three dayes before the Court at any mans usual place of abode, shall be sufficient warning.* ibid.

23. That

23. *That the Marſhall ſhall attach the Debtors Negro's,* &c. *to carry down ſuch goods as he ſhall attach for the Creditor.* 28.

24. *That whoſoever ſhall make away ſtock, or goods after attached, without ſatisfaction made in fourteen dayes, ſhall ſtand in the Pillory, and looſe both his ears.* ibid.

25. *That if the Clerk of the Peace ſhall neglect to enter Fines,* &c. *he ſhall forfeit double.* 29.

26. *That no Perſon ſhall buy Corn, Peaſe, or any other Grain to make profit thereof.* ibid.

27. *That any perſons may kill any Hog, or Hogs, that ſhall come into his proviſion,* &c. *and impound Horſes and Cattle.* ibid.

28. *That no perſon encroach within his Neighbours Line, or cut down a Marked Tree.* 30.

29. *That this Iſland be divided into five Precincts, and in each one Judge, and three Aſſiſtants.* 32.

30. *That if any ſervant ſhall marry without his Maſter, or Miſtreſs conſent, he ſhall ſerve four years after his time expired.* 33.

31. *That all Marſhals put in ſecurity before they be admitted to Officiate in any Court, or Courts.* ibid.

32. *That all Clarks of Court do take an Oath, before admitted.* 34.

33. *That the Governour and Council every year in*

in June, *ſhall ſet a rate upon Wine, and ſtrong Liquor.* ibid.
4. *That the Secretary nor his Clarks ſhall procure no Ticket to be ſigned without a teſtimonial.* 35.
5. *That the Free-holders of every Pariſh, on the Munday after* Lady *day, ſhall chuſe* 16. *Truſtees of their Pariſh for the year enſuing.* ib.
6. *That no Attorny ſhall be allowed more power than is in their Letters of Attorny expreſſed.* 36.
7. *That no ſtrong Liquors be put on ſhore, unleſs the Exciſe firſt paid, and ſuch Liquors entered.* 37.
8. *That the Creditor may lay his Execution to attach what of the Debtors he can finde, and not to expect what the Debtor ſhall ſhew.* 38.
9. *That ſervants wages be paid by their laſt Maſters in Goods, according to the value they paſs from man to man.* ibid.
10. *That no ſhip be permitted to Trade, untill they have paid Powder according to the burden of their ſhip.* 39.
11. *That all Deeds ſhall be acknowledged before the Governour, or ſome one Fudge of a Court within this Iſland.* ibid.
12. *That if any married woman ſhall be willing to ſell any Land belongeth unto her, her acknow-*